

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

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

**AND**

**IN THE MATTER** of the Rural Hearing  
Stream 2 (Rural, Rural  
Residential & Rural  
Lifestyle, and Gibbston  
Character Zone  
chapters)

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

**LANDSCAPE**

**6 APRIL 2016**

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## **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. My experience and qualifications are set out in my Evidence in Chief for the Introduction and Strategy Proposals of the Proposed District Plan (**PDP**), dated 19 February 2016.
- 1.2** I have been engaged by the Queenstown Lakes District Council (**QLDC**) to provide evidence in relation to landscape matters for the Rural Hearing Stream for the PDP, in particular for the Rural, Rural Residential & Rural Lifestyle, and Gibbston Character Zone chapters. I have previously prepared one statement of evidence for the PDP hearings, as mentioned above.
- 1.3** 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.
- 1.4** The key documents I have used, or referred to, in forming my view while preparing this brief of evidence are:
- (a) QLDC Operative District Plan;
  - (b) QLDC Proposed District Plan;
  - (c) Lakes Environmental Report to Queenstown Lakes District Council entitled 'Landscape Lines in the Queenstown Lakes District;
  - (d) Read Landscapes, 'Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features', 2014;
  - (e) Read Landscapes, 'Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features: Post review amendments', 2014; and
  - (f) Read Landscapes, 'Wakatipu Basin Residential Subdivision and Development: Landscape Character Assessment', 2014.

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

- (a) **Appendix A:** *Landscape Lines in Queenstown Lakes District* report, (8 July 2011);
- (b) **Appendix B:** *Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features*, (1 April 2014);
- (c) **Appendix C:** *Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features: Post review amendments* (16 October 2014); and
- (d) **Appendix D:** *Wanaka Building Restriction Area*.

## **2. EXECUTIVE SUMMARY**

**2.1** The key conclusions in my evidence are that:

- (a) The methods used to determine the landscape category boundaries are robust;
- (b) Relying on light reflectance values, in concert with hue, as a means of managing the appropriate external colours and materials for buildings in the rural zones has limitations. These can be alleviated by requiring applicants to show that their proposed, non-paint finished, materials are of a suitable hue and recessive appearance.
- (c) With regard to building size and height, allowing a 500m<sup>2</sup> building to 8m in height as a permitted activity could result in the degradation of the landscape. It will remain possible to limit development rights associated with building platforms at the subdivision stage to ensure that designs appropriate for the landscape context are achieved, but a volume of 4000m<sup>3</sup> will now be the permitted baseline.
- (d) The methods proposed to manage farm buildings are appropriate and should prevent the proliferation of buildings across the landscape. There are some minor duplications within the matters of discretion which can be removed without weakening the provisions.
- (e) The assessment matters in the PDP for development in the ONLs and ONFs are much clearer and more straight forward than those of

the PDP but cover the same issues ensuring that the appropriate management of these landscapes and features will be facilitated.

- (f) The assessment matters in the PDP for development in the Rural Landscape classification are much clearer and more straight forward than those of the PDP but cover the same issues. They allow for the variations in character which occur across the landscape ensuring that the appropriate management of all parts of these landscapes will be facilitated.
- (g) The assessment matters in the PDP for development in the Gibbston Character zone are appropriate for managing the distinct character of that part of the rural landscape. Allowing frost machines to be constructed within the zone as a permitted activity, subject to standards relating to colour and density of distribution, is considered to be appropriate.
- (h) A reduction in the area of the building restriction area (**BRA**) adjacent to Anderson Heights and State Highway 6 in Wanaka is considered to be appropriate.
- (i) The provisions of the PDP in relation to the Bobs Cove Rural Residential zone are identical to those of the ODP. It is considered that this is appropriate.
- (j) The 2ha average lot size in the Rural Lifestyle zone, combined with a 1ha minimum, is considered appropriate to ensure that rural character and amenity can be maintained.
- (k) Exterior alterations to a building outside of a building platform in the Rural Lifestyle zone is a restricted discretionary activity under the PDP and this is supported in order to avoid adverse effects on the surrounding landscape.
- (l) The planting of most wilding species which are problematic within the District is to become a prohibited activity. This is positive as it will assist in limiting the adverse effects on the landscape of wilding spread.

### **3. BACKGROUND / SCOPE**

#### **3.1** In this evidence, I address the following:

- (a) the methods used to identify the landscape classification boundaries;
- (b) permitted activity standards for buildings in the rural zones;

- (c) the landscape assessment matters for the Rural and Gibbston Character zones;
- (d) the Wanaka BRA;
- (e) the Bobs Cove Rural Residential zone;
- (f) lot sizes in the Rural Lifestyle zone;
- (g) visibility of buildings in the Rural Lifestyle zone; and
- (h) the planting rules regarding wilding exotic trees.

**3.2** I have provided QLDC with a number of technical reports that have been used in the development of the PDP. These reports are summarised in paragraphs 3.2 to 3.7 of my Evidence in Chief for the Introduction and Strategic Chapters of the PDP dated 19 February 2016 (**SD Evidence**), which I refer to and adopt rather than repeating here.

#### **4. LANDSCAPE CLASSIFICATION BOUNDARY MAPPING – METHOD OF ASSESSMENT**

**4.1** I discussed the importance of the District's landscapes and the need to manage them in my SD Evidence at paragraphs 4.1 to 4.7. I confirm and adopt that evidence.

**4.2** In that evidence I also discussed the technical reports which I had provided to Council which determined the locations of the boundaries between the various landscape classifications of the District, particularly the Outstanding Natural Landscapes (**ONL**) and Outstanding Natural Features (**ONF**) which have been notified as a part of the PDP. I have been asked to provide further detail regarding the methods used in the development of these reports.

**4.3** The first of these reports was completed in 2011 and is entitled, 'Landscape Lines in Queenstown Lakes District' (attached as **Appendix A** to this evidence (**2011 Report**)). It was commissioned as part of QLDC's review of the Rural zones and was intended to determine the appropriate locations of the lines separating the landscape categories defined in the ODP.

**4.4** In that report I set out the method that I used to determine the appropriate locations of these boundaries. It had four aspects:

- (a) Extensive field work was undertaken in order to gain a clear understanding of the landscapes of the Wakatipu and Upper Clutha basins.

- (b) The characteristics of the three landscape classifications as set out in the ODP (ONLs and ONFs, Visual Amenity Landscapes (**VAL**), Other Rural Landscapes (**ORL**)) were used as a reference. Thus, to determine the boundary between the ONL and VAL landscapes, the landscape on the ONL side had to approximate the ONL description from the plan, and the land on the VAL side the VAL description;
- (c) A process of matching like with like was undertaken. As lines had previously been drawn and features identified in the text of the ODP, an analysis of the characteristics of the landscape on either side of the already determined lines provided the necessary information to extend those lines;
- (d) The 'amended Pigeon Bay factors' were applied to evaluate the quality of landscapes where the matching process was not adequate or appropriate;
- (e) Existing work was used, such as reports on resource consent applications (by myself and other QLDC staff) and reports I had written for QLDC on the appropriate location of town boundaries for Wanaka and Queenstown in 2009.
- (f) Aerial photographs were used as the basis for the final mapping enabling a plan view analysis to complement my field work analysis.

**4.5** The 'amended Pigeon Bay factors' are a series of factors or aspects of landscape which are to be considered when assessing whether or not a landscape qualifies as an ONL or ONF. They were originally proposed in the Canterbury Regional Landscape Study of 1993<sup>1</sup>, but have been modified and simplified over the years. They gain their name from their first consideration by the Environment Court in the Pigeon Bay Aquaculture case<sup>2</sup> and they were further modified in the Wakatipu Environmental Society *et al*<sup>3</sup> decision. In that decision the Environment Court set out the factors (although they referred to them as criteria) as<sup>4</sup>:

- (a) *The natural science factors – the geological, topographical, ecological and dynamic components of the landscape;*
- (b) *Its aesthetic values including memorability and naturalness;*

<sup>1</sup> Boffa Miskell Ltd and Lucas Associates, 1993, P28.

<sup>2</sup> Pigeon Bay Aquaculture Ltd v Canterbury Regional council [1999] NZRMA 209.

<sup>3</sup> Wakatipu Environmental Society Inc v Queenstown Lakes District Council [2000] NZRMA 59.

<sup>4</sup> Wakatipu Environmental Society Inc v Queenstown Lakes District Council [2000] NZRMA 59 at paragraph 72.

- (c) *Its expressiveness (legibility): how obviously the landscape demonstrates the formative processes leading to it;*
- (d) *Transient values: occasional presence of wildlife; or its values at certain times of the day or of the year;*
- (e) *Whether the values are shared and recognised;*
- (f) *Its value to tangata whenua;*
- (g) *Its historical associations.*

**4.6** Following this decision these factors were included in the ODP at 5.4.2.1 (although shared and recognised values were omitted). While these factors are not without their critics within the profession, they have become institutionalised as a required template for the assessment of landscape quality.

**4.7** The method used was based on the assumption that it was the determination of the accurate locations of some of the landscape classification boundaries that remained at issue.

**4.8** In 2014 I was asked to update the 'landscape lines' report. At this time the purpose had changed as the Government had indicated an intention to amend the RMA to make it mandatory for councils to identify their ONLs and ONFs on their planning maps. The methods used were the same as for the previous report. The main differences between this report, (titled '*Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features*' and is attached as **Appendix B** to this evidence (**2014 Report**)), and the 2011 Report was that the 2014 Report was more comprehensive. This was because it was necessary to ensure that all of the ONFs and ONLs of the District were correctly identified. This meant that it included an assessment of the rivers of the Upper Clutha Basin (the Cardrona and Hawea Rivers) and the islands in the lakes which had not been considered previously. In addition Mount Alfred and Diamond Lake were identified as ONFs. There was no specific assessment made of the other rivers of the District which are all imbedded within ONLs.



- 4.9** The 2014 report was peer reviewed by Mr Ben Espie (in respect of the Wakatipu Basin) and Ms Anne Steven (in respect of the Upper Clutha Basin). Both peer reviewers provided critique and made recommendations. This resulted in further modifications to the locations of some boundary lines.
- 4.10** Subsequent to Mr Espie's review, I removed a number of small areas in the Wakatipu Basin from the surrounding ONL. Subsequent to Ms Steven's review of the Upper Clutha Basin part of the report, a number of further areas were included within the ONL or identified as ONFs, and some others removed. The classification of the Hawea River as an ONF was deleted, for example. My decisions as to what to amend and what to adopt from the reviewers' recommendations were based on a combination of:
- (a) an assessment of the cogency of the reviewer's argument;
  - (b) the reapplication of the 'like with like' principle; and
  - (c) the need to maintain consistency across both time and space.
- 4.11** I then issued a report detailing the changes made in response to the peer reviews, entitled, *'Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features: Post review amendments'* (this report is attached as **Appendix C**).
- 4.12** The final maps included in the final report were then copied into QLDC's GIS system, and I understand notified as part of the PDP.
- 4.13** In addition to determining the appropriate location of the boundaries of the ONLs and ONFs of the District, I discussed a number of general issues in the reports. These primarily related to the definition of 'arcadian' in terms of the landscapes of the District. I also discussed the inapplicability of this type of landscape aesthetic to the Upper Clutha Basin. In addition I discussed the issues which have arisen owing to the requirement of the ODP to attribute a landscape classification to the Frankton Arm of Lake Wakatipu. I understand that these discussions helped inform the decision to establish the Rural Landscape classification, and the decision to exclude the Frankton Arm from the landscape classification system.

## **5. PERMITTED ACTIVITY STANDARDS FOR BUILDINGS – RURAL, RURAL RESIDENTIAL, RURAL LIFESTYLE, AND GIBBSTON CHARACTER ZONES**

- 5.1** The PDP sets out the standards for structures and buildings in the Rural, Rural Residential, Rural Lifestyle and Gibbston Character zones. In each of these zones the PDP proposes to make the construction of dwellings with up to a 500m<sup>2</sup> footprint on a registered building platform, a permitted activity provided the building complies with a series of standards. These standards are listed in Table 3 of Chapter 21 Rural, Table 2 of Chapter 22 Rural Residential and Rural Lifestyle, and Table 2 of Chapter 23 Gibbston Character Zone.

### ***Building Materials and Colours***

- 5.2** The standards for buildings in the Rural zone are set out at 21.5.15, at 22.5.1 for the Rural Residential and Rural Lifestyle, and 23.5.1 for the Gibbston Character Zone. Non-compliance leads to restricted discretionary activity status. The standard specifies that the exterior colours of all buildings are to be within the range of browns, greens and greys, except soffits. These colours are the same as those recommended in Council's 'Guide to Reducing Glare and Reflection in the Queenstown Lakes District' which has been in use in the District for most, if not all, of the last ten years. These recommended colours have become a standard within the rural areas of the District and, I consider, are clearly effective in making buildings appear recessive within the District's landscapes.
- 5.3** The standard specifies a maximum light reflectance value (**LRV**) of 20% for roofs and 30% for all other surfaces. This ensures that darker shades are used which practice shows is an effective way to reduce the visual prominence of buildings within the landscape of the District. It is necessary to combine controls over both colour and LRV, as some colours with low LRVs would still be obtrusive in the District's landscapes. Paint companies and pre-coloured steel manufacturers test their products and provide LRV information in their catalogues, meaning that it is certain whether the product achieves the LRV standard or not. Consideration was given to including in the standards a list of appropriate cladding materials for which similar information is not available. In the past an assessment of materials for which an LRV was not available entailed a comparison being made between the material and a material with a known LRV. The limitations of this method are obvious.

**5.4** A number of submitters (368, 452, 457, 608) would like to see a list of permitted materials included in the PDP. In my view including an exclusive list of exterior materials would be too restrictive as new materials might be developed, or become fashionable, which were entirely suitable but as they were not included on the list would result in the need for consent. Further, it is the visual effect of the cladding that requires management, not its materiality.

**5.5** I consider that there are many materials for which no LRV can be readily determined which are appropriate within this landscape. Schist is the obvious one. Bagged schist, however, can be almost as prominent as a concrete wall, and concrete is often problematic. While it is possible to colour concrete with oxides and by using coloured aggregates these have never been popular options. Uncoloured concrete foundations which can be hidden by planting, on the other hand, need not be problematic. Unstained cedar is a popular choice of material, but when weathered it, and some other timbers, fades to a shiny silver colour which would not be acceptable as a paint finish. Timber can be stained to achieve an appropriately recessive appearance, but the precise LRV of these stains cannot be determined. Copper is becoming a popular choice for guttering and downpipes, and for roofs. This is very shiny, bright and very prominent when new, but fairly rapidly oxidises to a dark dull brown which is appropriately recessive. Given time, however, copper will continue to oxidise until it is a bright, turquoise blue (in approximately ten to fifteen years<sup>5</sup>).

**5.6** In summary, I consider that schist; stained timber; concrete coloured with either oxides, dark aggregate or both; zinc and corten steel are appropriate exterior materials within this District's landscapes. I consider bagged schist; Oamaru stone; unstained timbers and raw concrete to be inappropriate in most circumstances as all are pale coloured and visually prominent.

### ***Building size and Building height<sup>6</sup>***

**5.7** Rules 21.5.16, 22.5.3 and 23.5.2 specify that the maximum ground floor area for any building shall be 500m<sup>2</sup>. Rule 21.5.17 (and rules 22.5.8 and 23.5.3) limits the height of buildings to 8m. While no submitters have challenged the

5 [http://www.copper.org/applications/architecture/arch\\_dhb/additional/finishes/weathering\\_chart.html](http://www.copper.org/applications/architecture/arch_dhb/additional/finishes/weathering_chart.html) downloaded 17th March, 2016

6 Rules 21.5.16 and 21.5.17 (Rural), 22.5.3 and 22.5.8 (Rural Residential and Rural Lifestyle), and 23.5.2 and 23.5.3 (Gibbston Character).

height limit, a number (368, 444, 452, 497, 501, 610) challenge the limit of 500m<sup>2</sup> for the size of buildings.

**5.8** For context, the average floor area of a house in New Zealand is 149m<sup>2</sup> and the average floor area of houses built in New Zealand since 2010 is 205m<sup>2.7</sup>. The proposed standards, therefore, allow for the construction of a large building as a permitted activity.

**5.9** The purpose of the maximum footprint and height standards is to control the potential bulk of built form in these zones. The PDP would, in theory, enable the construction of a building which could have a footprint of 500m<sup>2</sup>, be 8m in height, have a flat roof, and subsequently have a volume of 4000m<sup>3</sup>. A height of 6 to 6.5m is adequate to allow for the construction of a single story dwelling with a pitched roof. To again provide context, a dwelling standing 6m to the apex of a pitched roof with a footprint of 500m<sup>2</sup> would have a volume of approximately 2500m<sup>3</sup>. As noted above, submissions request the removal of the 500m<sup>2</sup> limitation. The removal of this standard (or standards) could allow for a building with a 1,000m<sup>2</sup> footprint with a flat roof, and a volume of 8,000m<sup>3</sup> as a permitted activity. While in some locations this might not be problematic, in many others it could be, resulting in monolithic structures which do not relate to their context or to the broader landscape and with significant adverse effects on that landscape, and on visual amenity.

**5.10** Where building platforms are required (in the Rural General, Gibbston Character and Rural Lifestyle zones) the landscape assessment of these platforms is of the building envelope they create. In practice this rarely approaches an envelope of anything close to 8000m<sup>3</sup>. In most instances design controls are proposed by applicants (and sometimes imposed by Council) which significantly reduce this envelope. Examples of such controls include:

- (a) Limiting future buildings to a height which is less than the limit for the zone;
- (b) Limiting the area of the building platform which may be built upon;
- (c) Requiring a pitched roof (often in addition to other controls);
- (d) Limiting the length of any single façade; and

- (e) Drawing the building platform around the foot print of an already designed dwelling.

- 5.11** It is likely, but not certain, that most of the undeveloped consented platforms in the subject zones have some of these types of restrictions on the possible built form which may be built on them.
- 5.12** The eventual construction of a dwelling on a building platform which has been registered (and subject to a thorough assessment prior to consent being granted) is a controlled activity under the ODP. The construction of dwellings in the Rural Residential zone is a controlled activity under the ODP also. It is the case that the intention under the PDP to allow for buildings of up to 500m<sup>2</sup> in area and 8m in height as a permitted activity is a very significant liberalisation, particularly as a dwelling of this volume would become a part of the permitted baseline to be used in consideration of future building platforms.
- 5.13** I have come to the conclusion that allowing the construction of dwellings of up to 500m<sup>2</sup> in area and 8m in height as a permitted activity is too permissive. In my opinion there are alternatives which would both liberalise the level of control exerted on landowners, and ensure the protection of the landscape. The first of these alternatives would be to reduce the footprint allowable to 300m<sup>2</sup>. This would permit the construction of relatively simple dwelling (in this District's terms). The construction of anything larger could remain a controlled activity, rather than a restricted discretionary activity, as it is currently in the PDP. This would enable Council to manage any adverse effects of larger buildings on the landscape, their context, and on visual amenity. It would also mean that there would still be a liberalisation of the planning regime. I understand however from Mr Barr, that there are no submissions seeking this change.
- 5.14** The second alternative would be to specify the volume of built form, rather than limit the footprint. This would allow for flexibility of design but would control the potential bulk of a building. For example, if the limit were 2500m<sup>3</sup><sup>38</sup> this would allow a building of 6m in height with a footprint of 500m<sup>2</sup> (with a pitched roof) or at 8m height, a footprint of 312.5m<sup>2</sup>. Again I understand there are no submission seeking this change.

## ***Farm Buildings – Rural Zone***

- 5.15** Rule 21.5.18 enables the construction of farm buildings<sup>9</sup> as a permitted activity in the Rural zone.
- 5.16** The standards which must be complied with are similar to the rules in the ODP for controlled activity farm buildings and are similarly intended to facilitate farming activities while managing effects on the landscape. Farm buildings are an essential part of the landscape character of the District and enabling their construction in this manner for farming purposes would not be expected to have an adverse effect on that character.
- 5.17** It is appropriate, in my opinion, to manage the construction and distribution of farm buildings on land holdings of less than 100ha. Particularly within the Wakatipu Basin many landholdings are smaller than 100ha. The design of 'farm buildings' on smaller, lifestyle type properties is often not in keeping with the vernacular or with the character of the area. Allowing farm buildings as a permitted activity on these sites could lead to a proliferation of buildings across the landscape with adverse effects on landscape character and on the visual amenity of the public and neighbours.
- 5.18** Submission 145 says there is no justification for increasing the possible density of farm buildings from one per 50ha as in the ODP to one per 25ha in the PDP. I agree with this position and consider that increasing the allowable density increases the risk of adverse effects on the landscape from a proliferation of built form.
- 5.19** Submission 519 requests that containers be exempt from the standards for farm buildings. Containers are a convenient 'instant shed' but are a product which comes in every possible colour and state of repair. They have high potential to be eyesores within the landscape and I consider that it is important that the standards for rural buildings should apply to them.
- 5.20** Submission 600 requests that 'rural amenity' be removed from the matters of discretion which apply to the construction of farm buildings at 21.5.18 of the PDP. The remaining matters would be:
- (a) Landscape character;

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A farm building is defined in Chapter 2 as a building necessary for the exercise of farming activities (with some specific exclusions).

- (b) Privacy, outlook and rural amenity from adjoining properties;
- (c) Visibility, including lighting;
- (d) Scale;
- (e) Location.

**5.21** Odours and noise would seem to be the only aspects of 'rural amenity' which would not remain covered, and these are dealt with elsewhere in the PDP. Further, the rural amenity of adjoining properties remains a matter of discretion. Consequently, I consider that the removal of 'rural character' as a separate consideration would have little impact on the ability of Council to ensure that farm buildings were appropriate in the landscape.

**5.22** Submission 600 also requests that 'visual amenity' be removed from the matters of discretion applying to the exterior colours of farm buildings at 21.5.19. 'Visual prominence' would remain a consideration. I am unable to imagine a situation where the colour of a building would affect visual amenity without it also making the building prominent. I consequently consider that the deletion of this matter of discretion would not diminish Council's ability to appropriately manage the exterior colours of farm buildings within the landscape.

***Rule 22.5.9 Glare - Rural Residential and Rural Lifestyle zones***

**5.23** Standard 22.5.9 provides lighting standards for the Rural Residential and Rural Lifestyle zones. Non-compliance with the lighting standards in the ODP is a non-complying activity, as is the same matter in the PDP.

**5.24** Lighting can have significant landscape effects, highlighting residential (and other) development which is almost invisible by day. The locations where this effect is problematic are largely restricted to the Rural zone. As residential development is anticipated within the Rural Lifestyle and Rural Residential zones the main concern about lighting is to do with residential amenity in these zones.

**5.25** The PDP also includes Rule 22.5.9.3, which requires that there should be no upward light spill. I am uncertain as to the purpose of including Rule 22.5.9.3 unless this is an aviation requirement. While any move to require compliance

with the International Night Sky Association<sup>10</sup> guidelines would be positive in my opinion, particularly in the rural areas of the District, it would require more complex rules than those proposed.

- 5.26** The absence of any lighting controls in the Rural Landscape and ONL/ONF areas appears to be an oversight. It is within these areas of the District that inappropriate lighting would have the most significant landscape effects. I understand that this has been raised by submission and that it has been addressed by Mr Barr.

## **6. LANDSCAPE ASSESSMENT MATTERS – RURAL ZONE**

- 6.1** As with the ODP the assessment matters that apply to an activity or development are dependent on the landscape classification of the site. These assessment matters apply to discretionary and non-complying activities only (including variations to existing consents).

### **21.7.1 ONFs and ONLs**

- 6.2** The assessment matters for ONFs and ONLs in the PDP are located in 21.7.1 and are the same. The distinction between those for the Wakatipu Basin (**ONL(WB)**) and the ONL (District Wide) that was in the ODP, has not been carried over into the PDP. This will provide more consistency in the management of the ONLs and ONFs of the District. I consider that this is appropriate as the approach of the ONL(WB) has proved to be very effective. It has always been my understanding that the differential regime was simply a response to development pressure. As the development pressure throughout the entire District increases it is logical that the level of protection of the ONLs across the District, which are a significant scenic resource for the District (in addition to those in the Wakatipu Basin), should increase also.
- 6.3** The ONF and ONL assessment matters in 21.7.1, are prefaced with a statement that *'the applicable activities will be inappropriate in almost all locations within the zone'*. This statement is taken from S1.5.3iii(iii) of the ODP, in its explanation of discretionary activities. In the ODP it also applies to all ONLs and ONFs, although particular emphasis is given to the Wakatipu and Upper Clutha Basins. Consequently this explanation is not new and continues

10 <http://darksky.org/lighting/lighting-basics/> downloaded 21st March, 2016



to be one which I consider is necessary for the appropriate management of the District's ONLs and ONFs.

- 6.4** Assessment matter 21.7.1.1 provides:

*The assessment matters are to be stringently applied to the effect that successful applications will be exceptional cases.*

- 6.5** This text has been taken from the preamble located at S5.4.2.2(1) of the ODP which provides that:

*These assessment matters should be read in the light of two further guiding principles. First that they are to be stringently applied to the effect that successful applications for resource consent will be exceptional cases.*

- 6.6** In the ODP the principle only applied to ONL(WB) and ONFs district-wide. Consequently the wider application of the assessment matters is a key change in the PDP that increases the protection provided to ONLs outside of the Wakatipu Basin. As noted previously, I consider that this is a necessary step to ensure the appropriate management of the ONLs of the District.

- 6.7** Assessment matter 21.7.1.2 refers to existing vegetation and, as I understand, is intended to prevent landowners planting boundary hedges and then applying for development on the basis that the vegetation means the development cannot be seen. This is a direct carry over from the ODP and I consider that its inclusion is appropriate.

### ***Effects on landscape quality and character***

- 6.8** Assessment matter 21.7.1.3 requires an assessment of the effects of a proposal on the quality and character of the ONL or ONF. Landscape character has been defined as:

*A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse*<sup>11</sup>

<sup>11</sup> Swanwick, C. (2002). Landscape Character Assessment: Guidance for England and Scotland. Published by The Countryside Agency and Scottish Natural Heritage. P 8.

- 6.9** The quality of the landscape should be, or in most cases has been, determined by the application of the Amended Pigeon Bay Factors, as discussed above, and is considered to be a landscape to which section 6(b) of the RMA applies. Specifically, in regards to 21.7.1.3:
- (a) Subsections a., b., and c. are a restatement of the 'Amended Pigeon Bay Factors';
  - (b) Subsection d. requires the consideration of any development proposal against factors a., b., and c. in order to ensure that the landscape would not be degraded by the development, noting that in some cases the quality may actually be enhanced; and
  - (c) Subsection e. requires an assessment as to whether or not any proposed new boundaries have an adverse effect on the landscape. This assessment matter is directly equivalent to assessment matter 5.4.2.2(1)c(iii) in the ODP.
- 6.10** A part of landscape character is the value which is ascribed to the landscape. This value may relate to the aesthetic coherence of a landscape character area, or to the intactness of its natural and physical processes. The inclusion of a development which disrupts the aesthetic coherence of an area, or which diminishes the natural processes would, in my view, be a degradation of the quality of the landscape. When the absorptive capacity of a landscape is being discussed, this relates to the ability of that landscape to retain the important aspects of its character which are valued intact.

#### ***Effects on visual amenity***

- 6.11** Assessment matter 21.7.1.4 requires an assessment of the effects of a development proposal on visual amenity. Visual amenity has been defined as, *'the overall pleasantness of the views [people] enjoy of their surroundings'*.<sup>12</sup> I note the following points:
- (a) Subsection a. is a direct reproduction of assessment matter 5.4.2.2(1)b(i) in the ODP. Under the ODP this assessment matter only applies to the ONL(WB) and ONFs. I consider that extending it to cover the other ONLs of the District is prudent to ensure that the visual amenity provided by these landscapes is maintained into the future;

<sup>12</sup> Landscape Institute and Institute of Environmental Management and Assessment. (2013). Guidelines for Landscape and Visual Impact Assessment. Routledge: London. P 21.

- (b) Subsection b. is slightly modified from the assessment matter found at 5.4.2.2(1)b(ii) of the ODP which reads, '*The proposed development will not be visually prominent such that it dominates or detracts from public or private views otherwise characterised by natural landscapes*'. I consider that the PDP wording is better than the ODP wording as it makes it clear that the viewers may be either outside of or within the ONLS, or on the ONF. It is also not the naturalness of the landscape which is important, as implied in the ODP, but the outstandingness, of which naturalness, of varying degrees in practice, is a necessary requirement as per the RMA;
- (c) Subsection c. requires that screening or other elements that hide a proposed development from view should be in keeping with the character of the landscape. This is a rewording of the ODP assessment matter 5.4.2.2(1)b(iii) and the change simply serves to clarify its meaning;
- (d) Subsection d. replaces the ODP assessment matter 5.4.2.2(1)b(v). Its wording is very slightly altered for clarity, but its intention is unchanged;
- (e) Subsection e. replaces the ODP assessment matter 5.4.2.2(1)c(i). The issue of whether or not a structure breaks the line and form or ridges, hills or slopes is a matter of visual amenity; and
- (f) Subsection f. replaces the ODP assessment matter 5.4.2.21c(ii) which states, '*any proposed roads, earthworks and landscaping will not affect the naturalness of the landscape*'. This is an oxymoron as roading, and earthworks in particular, inherently diminish the naturalness of the landscape. The issue is, again, one of visual amenity.

### ***Design and density of development***

- 6.12** Assessment matter 21.7.2.5 *Design and Density of Development* is a new Assessment for both ONLs and ONFs (compared to the ODP). This section has however, been adapted from 5.4.2.2(3)c of the ODP where the assessment matter relates only to VALs. Development within the ONLs and on ONFs is, and has always been, anticipated in only exceptional circumstances. This principle has, and will, continue to apply pressure to ensure that the design of proposed developments is sensitive to the landscape and visual constraints of the site. The inclusion of this assessment matter in

the ONL/ONF assessment matters could be seen as a 'belt and braces' approach. It provides further direction regarding the design constraints which need to be considered for development to be acceptable within these important landscapes. I consider its inclusion to be appropriate for this reason.

### ***Cumulative effects of development on the landscape***

- 6.13** Assessment matter 21.7.1.6 requires an assessment of any cumulative effects on the landscape which may accrue from a proposed development. Two different sets of cumulative effects assessment matters relate to the ONL(WB), the ONL(DW). In my opinion, all the existing ODP assessment matters regarding cumulative effects are, complex and confusing. As the fundamental issue in any part of the landscape is whether or not development which is in addition to other existing development is a step too far, there seems no need for complexity. Assessment matter 21.7.1.6 applies to both ONLs and ONFs and states:

*Cumulative effects of subdivision and development on the landscape. Taking into account whether and to what extent existing, consented or permitted development (including unimplemented but existing resource consent or zoning) may have degraded:*

- (a) The landscape quality or character; or,*
- (b) The visual amenity values of the landscape.*

*The Council shall be satisfied the proposed development, in combination with these factors will not further adversely affect the landscape quality, character or visual amenity values.*

- 6.14** It is clear from this assessment matter that the assessment requires a determination of:
- (a) the current state of the landscape, in particular any existing adverse effects on its quality and character, and any existing adverse effects on its aesthetic coherence and pleasantness;
  - (b) the effects of the proposed development; and
  - (c) whether or not the effects of the proposed development further adversely affect the landscape.

- 6.15** This is clear, straightforward and appropriate. I consider that it is also positive that it clearly states that permitted activities may degrade the landscape.

- 6.16** In conclusion I consider the cumulative effects assessment matters as proposed in the PDP to be superior in their drafting and, in part as a

consequence, to be likely to provide a better outcome in their application than under the ODP.

### ***Other***

- 6.17** In the ODP ONL(WB) and ONF assessment matters there is a section requiring the assessment of any positive effects. This section relates mainly to ecological enhancement but also raises questions about esplanade strips, covenants and other legal mechanisms of environmental protection. In my opinion these are not landscape assessment matters, although clearly important. These issues are now included at 21.7.3 (Other factors and positive effects applicable in all landscape categories) of the PDP, which I consider appropriate.

### ***21.7.2 Rural Landscape Classification***

- 6.18** Section 21.7.2 of the PDP lists the assessment matters which are to be applied to the balance of the rural landscapes, the Rural Landscape classification (**RCL**). They replace the assessment matters which related to the VALs and to the Other Rural Landscapes (**ORL**) in the ODP. These Assessment matters are prefaced with the statement that '*applicable activities are inappropriate in many locations*'. This statement is currently located at S1.5.3iii(iv) of the ODP, which explains the reasons for the classification of activities as discretionary. It applies to VALs only, the concerns regarding development in Other Rural Landscapes in the ODP being restricted to the effects on the amenities of neighbours.
- 6.19** Applying the VAL principle to all RCL areas may seem to be increasing the stringency of the assessment required (submitter 456 requests that the ORL assessment matters be reinstated in the belief that they apply to much of the District). In fact it is important to note that there have only ever been two confirmed areas of ORL in the District, the Hawthorn Triangle and a small area (a single site) of Rural General land adjacent to Lake Wanaka to the west of Beacon Point. It is proposed, under the PDP, that the Hawthorn Triangle ORL be rezoned as a part of a larger Rural Lifestyle zone. Consequently, the area to which these proposed assessment matters will apply is virtually contiguous with the VAL of the District as it is currently understood.
- 6.20** The ODP includes at 4.2.4(3) a description or characterisation of the VAL. This is intended to identify the landscapes of the District to which s7(c) of the

RMA applies, that is, the landscapes for which decision makers must have particular regard to for the maintenance and enhancement of amenity values. As much of the District normally considered to be VAL does not have this character, it has been seen by some developers as a goal to be fulfilled in these areas.

- 6.21** I discussed the difficulties with this characterisation in my SD Evidence at paragraphs 5.3 to 5.6. The PDP Rural Landscape Classification assessment matters have been written in such a way as to ensure that development will be so designed as to be appropriate to its specific context. In this way the local character and amenity of varying areas of the District may be effectively managed by the same matters. For example, the character and valued amenity of Morven Ferry is quite different to the character and valued amenity of the Crown Terrace and to the character and valued amenity of the Ballantyne Road rural area in the Upper Clutha Basin. A development which was appropriate in one of these areas would likely be less appropriate, or inappropriate, in others.
- 6.22** I note that concerns have been raised by submitters regarding the use of the word 'inappropriate' with regard to activities in the Rural Landscape zone. These submitters correctly point out that this language is used in the Act in regard to ONLs and ONFs only. The Oxford Compact English Dictionary defines 'appropriate' as 'suitable or proper' with 'inappropriate' simply being its antonym. In my opinion, 'unsuitable' or 'improper' are entirely appropriate adjectives with which to describe development which has an adverse effect on the landscape of the Rural Landscape zone, that is, development which would neither maintain nor enhance the amenity of the vicinity.
- 6.23** The assessment matters of the PDP in relation to the Rural Landscape zone are similar to those for the ONL and ONF except that they focus on the maintenance of amenity, rather than the protection of outstanding natural landscape from inappropriate development.
- 6.24** The assessment matters of the PDP, for ONLs and ONFs, and the Rural landscape, are based on those of the ODP but they have been restructured so as to separate the assessment of landscape effects from those of visual effects. These were confused in the ODP. This is in keeping with best practice, and, in my opinion, makes for a simpler and clearer assessment process. Some of the more obscure assessment matters which had been based on an analysis of the settlement patterns of the Wakatipu Basin, but

were not readily understood by planners, landscape architects or commissioners, have been removed ((5.4.2.2(3)c(v)). In my opinion the landscape assessment matters in the PDP are clearer in intent, and will be much easier to apply than those of the ODP.

### ***Effects on landscape quality and character***

- 6.25** Within the Rural Landscape classification effects on landscape quality and character '*shall be taken into account*' (21.7.2.3). Any adverse effects on the quality and character of an adjacent ONL or ONF must be assessed. Whether, and the extent to which, the scale and nature of a proposed development might degrade the quality and character of the surrounding landscape must be assessed also. The degree to which the design and any landscaping would be compatible with or enhance the landscape is also to be assessed.
- 6.26** These assessment matters should ensure that development is designed so as to 'fit in' to its context. If it did not do so that would be an adverse effect on the quality and / or character of the landscape in its vicinity. In this way developments of different characters in different parts of the Rural Landscape can be assessed using the same assessment matters without resulting in any homogenisation of the District's landscapes. That is, it replaces what many perceived as a goal (the development of an Arcadian landscape) with the goal that local landscape character be maintained. I consider that this is an effective way of ensuring that the varying character and qualities of the Rural Landscape are not lost.

### ***Effects on visual amenity / design and density of development***

- 6.27** The assessment matters relating to effects on visual amenity require the assessment of effects on the visual amenity of both public and private views. They aim to ensure that mitigation does not create adverse visual effects.
- 6.28** The assessment matters relating the design and density of development are intended to provide a framework by which to assess the appropriateness of a development to its site and context.
- 6.29** Both of these groups of assessment matters, in addition to those regarding landscape character and quality, are adaptations of assessment matters already in use in the ODP. Together the entire collection of assessment matters provides a framework within which a design led development regime

can operate. That is, they give a clear indication of Council's expectations of how development should relate to its landscape context. I consider that this should be effective in assisting both developers and those tasked with assessing their proposals.

### ***Tangata Whenua, biodiversity and geologic values***

- 6.30** The Assessment of Tangata Whenua, biodiversity and geologic values in 21.7.2.6 ensures that these issues are addressed within the Rural Landscape classification. I understand that the most threatened ecological areas in the District are located within the Rural Landscape and that Mr Davis is to provide detailed evidence in this regard. These important features are captured by the Amended Pigeon Bay factors with regard to the ONLs and ONFs of the District.

### ***Cumulative effects of development on the landscape***

- 6.31** It has been acknowledged that the ODP has not managed the cumulative effects of development on the VAL well<sup>13</sup>.
- 6.32** Assessment matter 21.7.2.7 applies to the Rural Landscape and states:

#### *Cumulative effects of development on the landscape:*

*Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent of zoning) has degraded landscape quality, character, and visual amenity values. The Council shall be satisfied:*

- (a) The proposed development will not further degrade landscape quality, character and visual amenity values, with particular regard to situations that would result in a loss of valued quality, character and openness due to the prevalence of residential or non-farming activity within the Rural Landscape.*
- (b) Where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development, whether any further cumulative adverse effects would be avoided by way of imposing a*



*covenant, consent notice or other legal instrument that maintains open space.*

- 6.33** This assessment matter requires an assessment of the condition of the existing landscape, a determination of the effects of the proposal and a determination of any additional adverse effects, as is the case with the ONL/ONF assessment matter. There is, however, a leaning towards the maintenance of openness, in the sense of a lack of buildings, within the Rural Landscape. This is because the maintenance of open space is considered critical to the maintenance of the rural landscape.

***Other factors and positive effects, applicable in all other landscape categories (ONF, ONL and RLC)***

- 6.34** Section 21.7.3 addresses other factors and positive effects which may accrue from development in all landscape categories.
- 6.35** Assessment matter 21.7.3.1 indicates that the provision of building plans may be preferable to the nomination of a building platform in indicating that a proposed development is appropriate. The provision of building plans is particularly helpful in undertaking landscape and visual assessments of proposals as it eliminates many variables, and is, in my experience, already commonly done for applications for development within ONLs. I consider this to be positive and support this assessment matter.
- 6.36** Assessment matter 21.7.3.2 is specifically applicable to the assessment of proposals for non-residential developments in the rural areas and requires an assessment be made of the degree to which the proposal is consistent with rural activities and the rural resource and whether or not it would maintain or enhance the quality and character of the landscape. I support this provision as it acknowledges that there are significant proposals, from time to time, which are not residential in nature, but which may be appropriate in the rural landscape.
- 6.37** Assessment matter 21.7.3.3 requires the assessment of possible positive effects. Most of the aspects of this assessment matter are not, strictly speaking, landscape matters, although they may have an effect on the landscape.

## **7. LANDSCAPE ASSESSMENT MATTERS – GIBBSTON CHARACTER ZONE**

- 7.1** The assessment matters for the Gibbston Character zone in 23.7 are essentially similar to those of the Rural Landscape Classification. This is a continuation of the position taken by the ODP. This recognises both that the landscape of the Gibbston Valley has a similar level of importance and aesthetic value to the VALs of the District, and that the viticultural use of the valley requires a different management regime. The assessment matters are slightly oriented towards prioritising the management of visual amenity effects on the users of State Highway 6 and of the cycle trails. This too is similar to the approach of the ODP and I consider the continuation of this approach to be appropriate.
- 7.2** A submitter (12) has raised the issue of wind mills for frost fighting within the Gibbston Character zone. Under the PDP these would breach the 10m height limit and would require resource consent as a non-complying activity. Under the ODP these wind mills have been considered to be buildings and have required comprehensive assessments as non-complying activities as a result. It is the case that there are portable frost fighting wind mills, the use of which would be a permitted activity. While these are not quite as high (8.2m in one example<sup>14</sup>) they would have similar effects on the landscape to the permanent machines, although less predictable. It is my opinion that these wind mills are an integral part of the viticultural landscape. They are lean structures, quite different to other rural buildings, and, provided the tower is coloured a suitably recessive colour, have no adverse landscape effects. It is my understanding that a frost fan can provide suitable cover for an area of 5.5 to 7ha.<sup>15</sup>
- 7.3** Consequently I consider that these fans should be a permitted activity subject to specific standards. In my view, the landscape related standards should require the tower to be coloured in a grey, green or brown with an LRV of less than 30%, and that the density of fans across the landscape should be no greater than one per 5.5ha. Controls over noise and other aspects of possible nuisance should also apply but these are beyond my expertise.

14 [http://www.towandblow.co.nz/features\\_portable\\_wind\\_machine/](http://www.towandblow.co.nz/features_portable_wind_machine/) downloaded 3<sup>rd</sup> April 2016.

15 <http://www.summerfruitnz.co.nz/Grower/Articles/Frost%20fans> downloaded 22nd March 2016.

## **8. BUILDING RESTRICTION AREAS – RURAL ZONE**

- 8.1** A number of areas have been identified within the ODP as building restriction areas (**BRA**), and these are carried over to the PDP.
- 8.2** Submitter 502, Allenby Farms, has submitted that the building restriction area adjacent to the State Highway to the south west of Mount Iron should be removed. From a landscape perspective, I agree with this proposition in part. Had there been a setback required from the escarpment edge so that buildings in Mount Iron Drive and Rob Roy Lane were not visible from the highway it would have served the purpose of maintaining a rural edge to Wanaka. No such setback has been imposed. Further, with the Three Parks plan change operative, this area is fully within the urban form of Wanaka. It does, however, provide a natural and attractive foreground to views of Mount Iron from the west. In my opinion the building restriction area could be reduced to the area illustrated in **Appendix 1** attached to this evidence.

## **9. BOB'S COVE – RURAL RESIDENTIAL ZONE**

- 9.1** The Bob's Cove Rural Residential zone (and sub-zone) has special provisions (in Table 5) distinguishing it from other Rural Residential Zones. These controls have been rolled over from the ODP into the PDP. While I do not know the detailed history of these provisions, in my view they together ensure that development within the zone will have a distinct character which is subservient to the surrounding ONLs.
- 9.2** Submissions have been received seeking the removal of the special provisions, but not the specific objectives and policies which apply to the sub-zone. These objectives, 22.2.6 and 22.2.7 do provide continued direction for the development of the sub-zone, particularly with regard to open space and ecological and amenity value. Without the rules which enact these policies, it is unclear to me how the QLDC would ensure the objectives and associated policies were achieved.
- 9.3** There are ten performance standards in the PDP which apply to the Bob's Cove Rural Residential sub-zone (at 22.5.21 to 22.5.30 in Table 5). Of these, four relate to physical measurements:

- (a) Standard 22.5.21 restricts the maximum building height in the sub-zone to 6m. Removing this standard would allow construction of dwellings to 8m in height. This would increase the potential bulk of buildings to a degree which has not been anticipated through the assessment of the zone, and this could negatively impact on amenity both within the sub-zone and in views from the Glenorchy Road;
- (b) Standard 22.5.22 restricts the setbacks from roads to 10m and from the Glenorchy Road to 15m. Removing this standard would result in all setbacks being 10m. This would in my view have a negative impact on the visual amenity of users of the Glenorchy Road impacting views across the area to the lake;
- (c) Standard 22.5.24 restricts residential density to one unit per 4,000m<sup>2</sup> which is the same as the Rural Residential Zone so its deletion would not impact on the development rights within the Bob's Cove zone; and
- (d) Standard 22.5.26 restricts internal setbacks to 10m. Removing this standard would result in a reduced setback of 6m which would in my view have a negative impact on the internal amenity of the sub-zone.

**9.4** In my opinion these changes in combination would have a moderately small impact on the character and quality of the subzone.

**9.5** Of more significance would be the removal of the other six standards. These all relate to landscaping:

- (a) Standard 22.5.23 limits the height of vegetation in the 'open space' areas of the sub-zone to 2m in height so as to maintain pastoral character and to avoid obscuring views to the mountains and lake. The objective 22.2.7 only requires 'appropriate landscaping' and the maintenance of view shafts. The removal of the specific standards for the sub-zone, therefore, would potentially lead to quite a different outcome;
- (b) Standard 22.5.26 requires indigenous planting to be undertaken adjoining the development area and if a dwelling is proposed within 50m of the Glenorchy Road, that this planting must have survived at least 18 months prior to construction taking place. It is possible that this planting has all been completed. If not, the removal of this standard would allow for the construction of dwellings without prior

- planting which would alter the anticipated character of the development and the visual amenity from the Glenorchy Road;
- (c) Standard 22.5.27 requires planting to be undertaken between a dwelling proposed within 50m of the Glenorchy Road and that road. Landscaping within 15m is to be completed prior to construction and planting between 15m and 50m to be completed during the first planting season following construction. These requirements are similar in nature to common Consent Notice conditions. Their removal would allow for dwellings to be constructed within 50m of the Glenorchy Road without the completion of any indigenous planting. In my view, this would dramatically alter the character of the development and would potentially have significant adverse effects on the visual amenity of users of the Glenorchy Road;
  - (d) Standard 22.5.28 requires that no building be erected in the Undomesticated Areas of the sub-zone. It is my understanding that this encompasses much of the open areas adjacent to the Glenorchy Road. Removing this standard would allow for the development of these areas. In my view, this would significantly alter the character of the sub-zone from what was anticipated, and adversely affect the visual amenity of users of the Glenorchy Road;
  - (e) Standard 22.5.29 requires that at least 75% of the zone be set aside as undomesticated area. At least 50% of this area is to have a continuous cover of indigenous vegetation retained, established and maintained. It requires that this be given effect to by Consent Notice and covenants. If this has occurred, then it is my understanding that the standard is no longer necessary, but I consider that this is likely a legal question. If it has not occurred then the removal of this standard could result in a change in the character of the sub-zone and a diminution of the amenity anticipated; and
  - (f) Standard 22.5.20 requires at least 50% of the undomesticated area within the sub-zone to be retained, established and maintained in indigenous vegetation. This is to be detailed in a landscaping plan provided as a part of any subdivision application, and at least 90% of the vegetation must survive the first 5 years. I am unclear as to the extent of subdivision completed within the sub-zone, or the amount of land left available under the current development limits. I consider that this standard is central to the character which was anticipated for the sub-zone and I am opposed to any dilution of this.

## **10. LOT SIZE RULE – RURAL LIFESTYLE ZONE**

- 10.1** Rule 27.5 specifies that the minimum lot size for the Rural Lifestyle zone shall be 1ha, provided that the average lot size at subdivision is not less than 2ha. This is a carry-over of the existing rule in the ODP. There are a number of submitters who want this minimum reduced to 1ha.
- 10.2** The Rural Lifestyle zones are intended to provide for rural living opportunities<sup>16</sup>. Policy 22.2.1.2 of the PDP states that the purpose of establishing minimum density standards is '*so the open space, natural and rural qualities of the District's distinctive landscapes are not reduced*'.
- 10.3** It is my general observation that 2ha enables the keeping of animals and other productive land uses which are characteristic of the broader rural landscape and which cannot be sustained on smaller lots. Such an area ensures a sense of spaciousness and the maintenance of some other aspects of rural amenity such as quietness.
- 10.4** The PDP includes several new areas of Rural Lifestyle zoning. In part this is intended to direct residential development into parts of the landscape better able to absorb development and away from the more sensitive areas which have remained Rural Landscape. From a pragmatic point of view, if subdivision to 1ha is allowed in the Rural Lifestyle zones (and more than one submitter has said they consider two dwellings could be constructed on each building platform making the density of a Rural Lifestyle zone almost indistinguishable from the Rural Residential zone) then people wishing to have a few horses, raise a few sheep or alpacas or grow a few olives will have to move, again, to the Rural Landscape zone. I consider the effects of this on the landscape, particularly in the Wakatipu Basin, would be adverse.
- 10.5** One area which I consider could absorb development at the density of 1ha lots is within the Hawthorn Triangle, specifically the land bounded by Lower Shotover, Speargrass Flat and Domain Roads. This is for two reasons. The first is that a significant proportion of that land has already been subdivided into lots approximating 1ha in area already. The second is that there is little if any rural character remaining within that area now. It would seem sensible to

increase the potential density of development there and protect the amenity of the surrounding landscape.

## **11. VISIBILITY OF BUILDINGS – RURAL LIFESTYLE ZONE**

- 11.1** Rule 22.4.3 details the performance standards for the construction of buildings within the Rural Lifestyle Zone. It provides that non-compliance with the standard for exterior alterations for a building located outside of a building platform would be a Restricted Discretionary activity. One of the areas of discretion is visibility from public places. I consider that this is appropriate. When building platforms are approved the visibility of a dwelling on the platform is assessed from all relevant public locations both within and outside of the zone. In the case of dwellings outside of a building platform this check has not been undertaken. Consequently, it is possible that a non-complying extension could be visually prominent and adversely affect the landscape outside of the zone.

## **12. PLANTING RULE – WILDING EXOTIC TREES CHAPTER**

- 12.1** Rule 34.4.1 prohibits the planting of wilding exotic trees. These are mainly conifers but include sycamore, hawthorn and boxthorn. Wilding trees are, in my opinion, a significant problem within the District from a landscape perspective. I am not an ecologist but understand that they are a problem from an ecological perspective also – this aspect is covered in the evidence of Mr Glenn Davis for the Council.
- 12.2** Wilding trees displace indigenous vegetation and, indeed, pasture. This has the effect of homogenising the landscape, reducing the subtle changes in the colour and texture of vegetation that give visual cues as to the underlying topography and hydrology. Conifers can grow vigorously at higher altitudes than our indigenous forest, obliterating the subalpine shrub lands which provide a transition between the indigenous forest and the high tussock grasslands. It is notable that a number of the ONLs of the Wakatipu Basin in particular are actually infested with a mix of these species. Of particular note are the face of Coronet Peak and the Crown Terrace escarpment.
- 12.3** From a landscape perspective the most striking effect of the spread of wilding vegetation is the change in character which it produces. While the landscape without the wildings is one radically modified by a thousand years of human interventions, the wildings change it totally. Hawthorn obscures many of the

rock faces of Peninsula Hill and of Malagans Ridge. Douglas fir blankets the hillsides around Queenstown and spread over the southern face of Coronet Peak. This is changing the landscape character from one which is of this place into one which is indistinguishable, for many, from parts of North America or Europe.

- 12.4** I also consider that silver birch should be included in the rule. Silver birch, which has been planted frequently as an amenity tree throughout the Wakatipu Basin and elsewhere in the District, is now proving to be a wilding threat also. I have found wilding silver birch just outside the boundary of Mount Aspiring National Park near Paradise, and wilding silver birch seedlings can be seen all over the face of Coronet Peak in the autumn, appearing as small orange flames.



**Marion Read**

**6 April 2016**



## **Appendix A**

*Landscape Lines in Queenstown Lakes District* report, (8 July 2011)



**REPORT TO:** Jonathan Richards – QLDC Policy Analyst

**FROM:** Marion Read - Principal : Landscape Architecture

**SUBJECT:** Landscape Lines in Queenstown Lakes District

**DATE:** 8 July 2011

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## **1.1 INTRODUCTION**

This report has been commissioned by Council's policy team as a part of the review of the District's rural zones. Its goal is to determine the appropriate locations of the lines separating the landscape categories defined in the District Plan (henceforth referred to as „landscape lines“). These landscape categories are Outstanding Natural Landscape or Feature (ONL or ONF), the Section 6(b) landscapes; Visual Amenity Landscapes (VAL), the Section 7(c) landscapes; and Other Rural Landscapes (ORL) for which there is no particular requirement for protection or management under the Resource Management Act. From an administrative perspective, the outstanding natural landscapes have been further divided, in the main on the basis of the perceived development pressure relating to them, into those of the Wakatipu Basin (ONL(WB)) and those of the rest of the district known as the outstanding natural landscapes, district wide (ONL(DW)).

Landscape lines previously determined by Environment Court Decisions are included on the maps located in the Appendix 8A of the District Plan. The putative lines were established for the Wakatipu Basin by the Environment Court in its C180/99 decision and these lines appear on the Council's maps as dotted lines. The Court has established the confirmed location of many of these lines, both in the Wakatipu and in the Upper Clutha Basin, these lines appearing on the maps as solid lines. However, this has not succeeded in removing levels of confusion regarding the location of some of these lines, or the appropriate landscape classifications for some areas of the District, and it is also the case that much of the Upper Clutha Basin has not had even putative lines established. Further confusing the issue is that from a legal standpoint, the landscape classification of a site is a matter of fact and thus is always open to argument. That is, the establishment of solid lines on a map does not prevent the issue of the landscape classification of a site from being re-litigated under the current District Plan provisions.

This is not a landscape assessment of the District from first principles. In determining the appropriate location of the landscape lines I have drawn on a number of sources. Firstly, the characteristics of the three landscape categories have been defined in Section 4 of the District Plan. They are:

*The outstanding natural landscapes are the romantic landscapes – the mountains and the lakes - landscapes to which Section 6 of the Act applies.*

*The visual amenity landscapes are the landscapes to which particular regard is to be had under Section 7 of the Act. They are landscapes which wear a cloak of human activity much more obviously - pastoral (in the poetic and picturesque sense rather than the functional sense) or Arcadian landscapes with more houses and trees, greener (introduced) grasses and tend to be on the District's downlands, flats and terraces. The extra quality that these landscapes possess which bring them into the category of 'visual amenity landscape' is their prominence because they are:*

- adjacent to outstanding natural features or landscapes; or*
- landscapes which include ridges, hills, downlands or terraces; or*
- a combination of the above*

*The other rural landscapes are those landscapes with lesser landscape values (but not necessarily insignificant ones) which do not qualify as outstanding natural landscapes or visual amenity landscapes.<sup>1</sup>*

Secondly, the process has generally entailed a process of matching like with like. Most, but not all, of the lines to be determined have been partially drawn, or features have been identified in the text of the Plan. Thus an analysis of the characteristics of the landscape on either side of the already determined line provides the necessary information to extend those lines.

Thirdly, the District Plan provides a process which it is expected will be brought to bear in every landscape assessment. This is located at Section 5.4.2.1 of the District Plan and is known as the „modified criteria“. It is worth noting that while these are widely referred to they are not, in fact, criteria at all. A criterion is defined by the Oxford Compact English Dictionary as „a principle or standard that a thing is judged by“. The „modified criteria“ are not principles or standards but aspects of landscape. As such they should, arguably, be attended to in any assessment but they do not provide, explicitly or inherently, a means by which to assess the quality or importance of one particular landscape over another. This, in my opinion, can only be done on the basis of some sort of empirical evidence of broader community opinion which the District Plan can be considered to provide only in the most general sense.

To a degree I have drawn on earlier work that I have done myself and on the work of other landscape architects where I consider it to be appropriate. Consequently some of the material

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<sup>1</sup> Queenstown Lakes District Council, District Plan Page 4-9

in this report is either a direct or close repeat of work found in other reports, in particular the Lakes Environmental report to QLDC on the town boundaries of Wanaka and Queenstown<sup>2</sup> I have endeavoured to ensure that a consistent approach has been taken both in spatial terms and through time. However, it is my strong opinion that this report should be peer reviewed by landscape architects within the District prior to being adopted within any consultation documents. This is particularly the case with the landscape lines of the Upper Clutha basin. While lines were proposed for this part of the District in 2001 (see attached map noted as Appendix 1) few of these have been confirmed. I consider that the further input to this process which could be gained in this manner would be invaluable and likely to reduce any future challenges to the location of the lines.

My conclusions are illustrated in the maps which I have appended. These maps have been printed at a scale of 1:15 000. It is important to note that the lines are not survey lines and have, in fact, been drawn on the maps by hand using a felt pen. The width of the resultant line is 1.5mm which, at the scale of 1:15 000 is equivalent to a line of 22.5m wide. This introduces what could be, in some situations, a significant margin of error. While of little significance in most circumstances, 22.5m could become of great significance should it bisect a potential house site, for example.

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<sup>2</sup> Queenstown Town Boundaries Study: Landscape Assessment, Dec 2009 & Wanaka Town Boundaries Study: Landscape Assessment, Dec 2009

## 2.0 WANAKA AND THE UPPER CLUTHA BASIN: GENERAL ISSUES



**Fig 1:** Map of the Wanaka / Upper Clutha Basin area

The definition of Visual Amenity Landscape enshrined in the District Plan has clearly been based on the Wakatipu Basin. While the landscape of the Upper Clutha Basin has been formed by similar glacial and fluvial processes to those of the Wakatipu, the Upper Clutha has a different character. The landscapes of the Upper Clutha Basin are not arcadian, although there are areas close to Wanaka that are beginning to gain some of this character. Rather the landscape of the Upper Clutha Basin is a „big sky” landscape. Almost anywhere within the wider basin, except perhaps within the Clutha River valley, expansive views are available to distant mountain ranges, some in excess of forty five kilometres distant.

The soaring river terraces and level outwash plains introduce strong horizontal lines to the landscape. Roche moutonee are common features within the basin, around and within Lake Wanaka and within the Matukituki Valley providing quite startling topographical variation, particularly where they pierce the outwash plains. The surrounding mountains are high and wild in appearance. The ecology of the Upper Clutha Basin and the lower lying area adjacent to Lakes Wanaka and Hawea has been significantly modified by pastoral farming. However, significant areas of remnant and regenerating indigenous vegetation are present throughout the Basin and the surrounds of the Lakes. A number of major rivers feed the lake systems including particularly the Makarora, Matukituki, Hunter and Dingleburn. These rivers all have significant delta systems which change according to the behaviour of the rivers. The Upper Clutha Basin is cut by, and much of its topography has been created by, three major rivers,

the Cardrona, Hawea and Clutha. The outlet of Lake Wanaka is one of the few outlets of a major lake in the South Island that has not been modified and controlled in some manner and the Clutha is the largest river, in terms of flow, in the country.

The landscape of the Upper Clutha Basin is a highly memorable landscape for its soaring river terrace escarpments, the expansiveness of views, the strong horizontal landforms, its brownness and for its natural character. The level of natural character of Lake Wanaka is considerably higher than that of Lake Wakatipu with obvious human intervention in the landscape in views from the lake limited, in the main, to west Wanaka, and the southern reaches of the Lake. Lake Hawea has been artificially raised to support electricity generation downstream, but it retains a reasonably high level of natural character. The flatter areas of the Clutha Basin, particularly to the north of the Clutha River and the Hawea Flats show stronger evidence of pastoral farming, particularly in the presence of long exotic windbreaks which transect the area. Patches of remnant and regenerating indigenous vegetation are scattered throughout the Upper Clutha basin which also contribute to a relatively high level of natural character.

To an observant eye the glacial and fluvial origins of the landscape of the upper Clutha are readily evident. The glacial forms of the broader valley walls, the very obvious terminal moraines and the large number of roche moutonnee show the glacial origins of the area. The soaring river terraces provide equally clear evidence of the force of the rivers in forming the landscape. Evidence of rock falls; the behaviour of the rivers; the changing river deltas and significant outwash fans all demonstrate the dynamic nature of the landscape. Contrasts between the greens of the more manicured areas, and the less manicured in the spring, and the browns of summer and autumn provide transient variation to the landscape as does the presence of snow on the mountains in winter.

The Clutha River (Mata-au) is an area of Statutory Acknowledgement for Ngai Tahu. It was a part of a mahika kai trail leading inland from the eastern coast and was also significant for the transportation of greenstone from the west. It was the boundary between the Ngai Tahu and Kati Mamoe<sup>3</sup>. Settlement of the upper Clutha basin by Europeans began in the 1860s driven by gold mining and pastoralism. Mining sites on the edges of the river are still identifiable by the scouring caused by sluicing and by the location of stone piles; cottage remnants and groves of Lombardy poplars which have often resulted from the construction of „temporary“ yards for stock or horses.

While sometimes considered less aesthetically pleasing than the Wakatipu area I simply consider that it is less classically picturesque and that its aesthetic appeal is its more raw, natural and untamed character. That this landscape is highly valued can be measured by the

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<http://www.orc.govt.nz/Documents/Content/Regional%20Policies%20Plans/27.%20Appendix%202%20Ngai%20Tahu%20Claims%20Settlement%20Act%20Statutory%20Acknowledgements.pdf>

number of submissions and appeals brought by members of the Wanaka community against development proposals which they perceive to present a threat to the landscape's quality and integrity. That this landscape has a lesser degree of protection than that of the Wakatipu may be the result of a lesser level of development pressure, but it is my opinion that this must be monitored closely, so as to manage these wild and expansive landscapes effectively

Also at issue are the potential Outstanding Natural Features of the Upper Clutha. Roys Peninsula was so determined by the Environment Court in its C29/2001 decision. Other features often described as outstanding include Mount Iron, Mount Barker and the Clutha, Hawea and Cardrona Rivers (although in the latter case a thorough assessment determined that, at least in the vicinity of Ballantyne Road, the Cardrona River was not an Outstanding Natural Feature<sup>4</sup>). Mount Iron has been assessed in the Wanaka Town Boundaries report and I reproduce that assessment here. The Cardrona and Hawea Rivers have not been assessed owing to a shortage of time. The Clutha River has been assessed but it is complicated by the presence of the Hydro Generation Special Zone which overlays the river and its lower surrounds. A landscape classification cannot influence consent decisions for activities within this zone. However, I have effectively chosen to ignore it as its purpose is very specific and it bisects the river corridor. I will effectively work around the Upper Clutha Basin in a clockwise direction starting from western Wanaka.

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<sup>4</sup> H Mellsop, RM090262 Wanaka Landfill, Landscape Assessment Report, 2<sup>nd</sup> November, 2009.

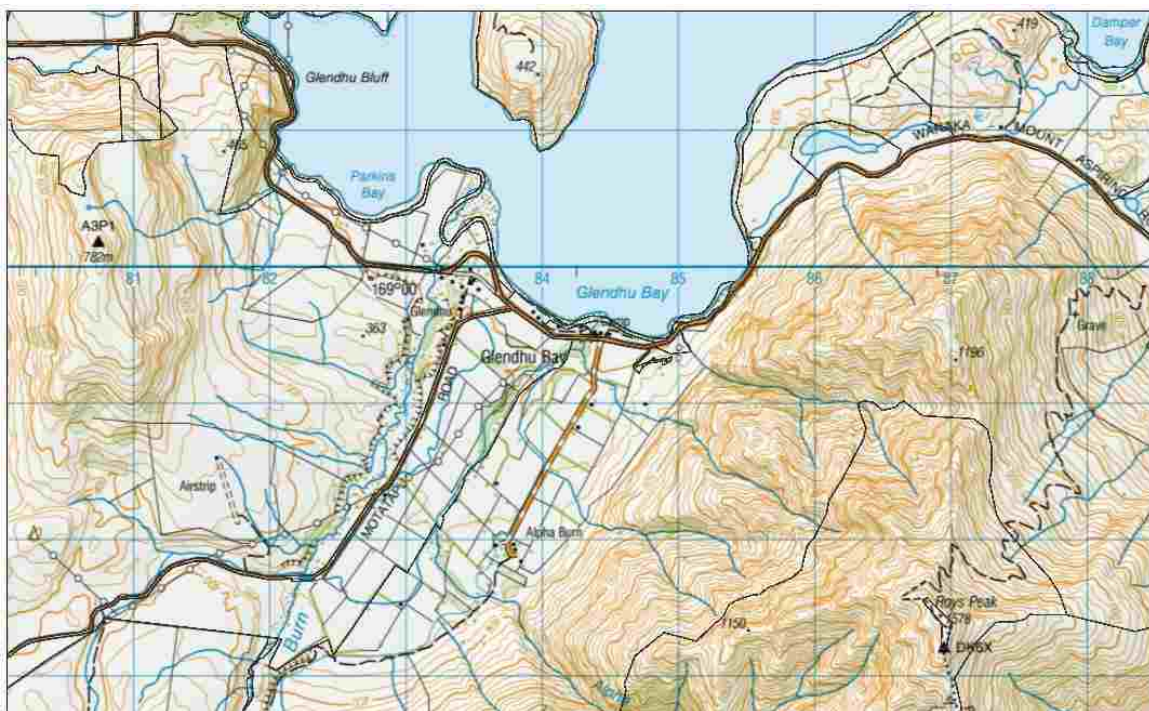


## 2.1 Parkins Bay and Glendhu Bay

The Environment Court, in its recent C432/2010 decision, determined that Parkins Bay and Glendhu Bay are a part of the ONL of western Wanaka. The Court did note that the:

*'ONL around the site is a very complex landscape and that it includes two highly modified areas which are very different from most of the embedding landscape. These areas are the Fern Burn Flats and the Matukituki River delta. These areas, especially the latter, are pastoral in the English sense<sup>5</sup>.*

I do agree with this conclusion, and for the same reason given by the Court. That is, despite the obvious modifications of the Fern Burn flats and the Matukituki delta, the landscape of the lake and mountains surrounding the area is so dominant that it is them which provide the character and quality of the overarching landscape experience.



**Fig 2:** Map of Parkins Bay and Glendhu Bay

## 2.2 Waterfall Creek

In its C73/2002 decision the Environment Court confirmed the boundary line between the ONL of Mount Alpha and the VAL of the Upper Clutha basin. To the north of the confirmed line the putative line follows the boundary of the Rural Residential and Rural Lifestyle zones until it crosses the Wanaka Mount Aspiring Road where it turns south eastward. From this point it follows firstly the road and then the legal boundary between the Mills property (Rippon Vineyard) and the Blennerhassett property located between the vineyard and Waterfall Creek.

<sup>5</sup> C432/2010 Para 81, P 32





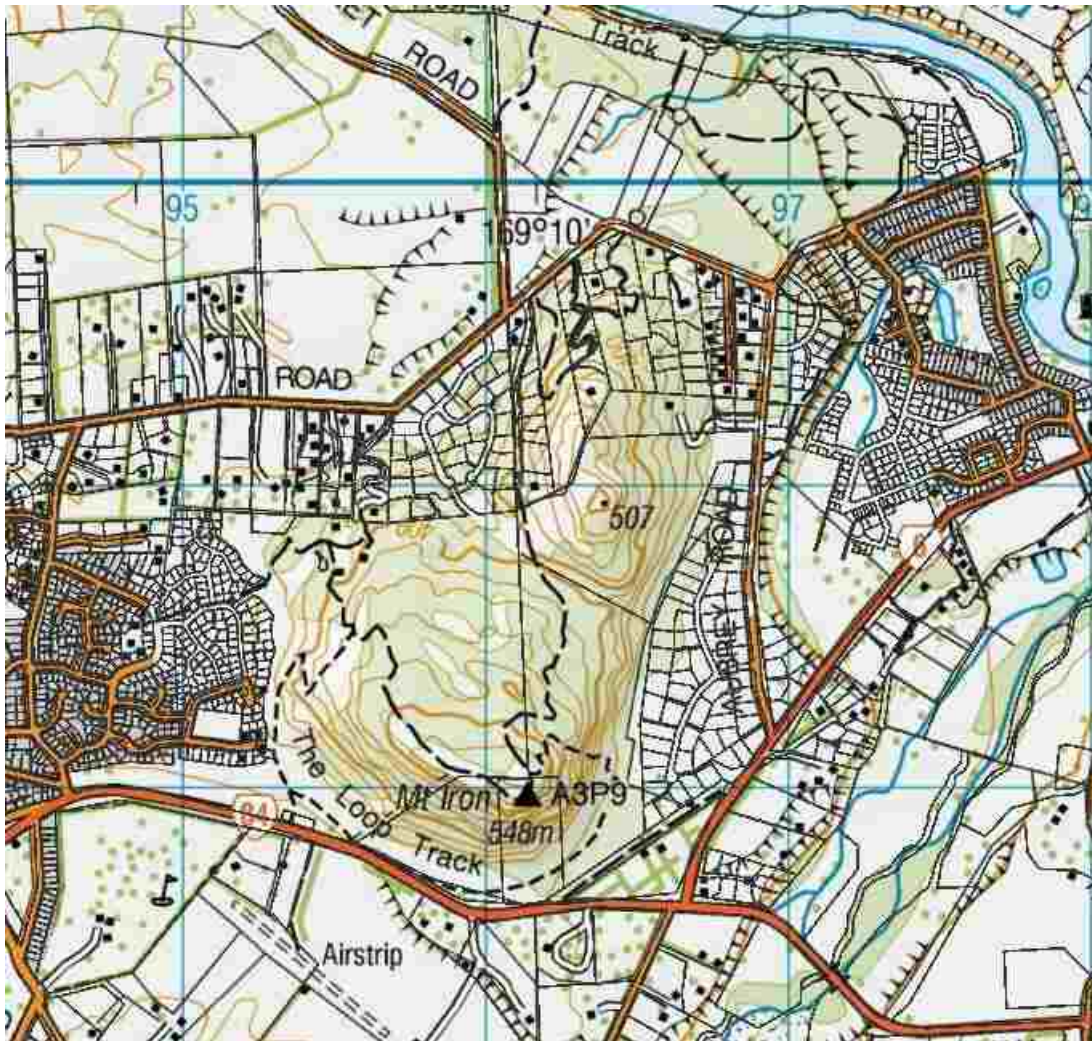
**Fig 3:** Map of Waterfall Creek area

In my opinion the location of this boundary is problematic. It is my assessment that the landscape of the Blennerhassett property is more similar to that of the Mills property than that of the landscape immediately to the north west of Waterfall Creek. Ruby Island Road runs in a direct line to the north east, approximately following the course of Waterfall Creek. The margins of the creek between the road and the creek itself exhibit a high level of natural character. In my opinion the boundary of the ONL of the lake margin and Mount Roy should follow the north western margin of Ruby Island Road. This is not to say that there are not areas of the Blennerhassett property along the lake margin, in particular the Kanuka reserve, which should be classified as ONL but in my opinion they should be considered a part of the ONL of the lake and its margins. This line is illustrated in Appendix 2 Map 1.

My proposed location of the ONL boundary is problematic in one regard. Because the ONL boundary is (correctly in my opinion) located along the boundary of the Rural Residential and Rural Lifestyle zones located to the north of Studholm Road, this means that the area of land separated from the ONL in this vicinity, the Blennerhassett and Mills properties, cannot be considered to be a landscape in its own right and would have to be assessed as an Other Rural Landscape. This is despite its importance as the north western gateway of Wanaka and of its quality.

### 2.3 Mount Iron / Little Mount Iron<sup>6</sup>

In geological terms Mount Iron is an example of a roche moutonnee landform. The underlying rock is schist which, owing to its being harder than the surrounding rock, has forced the glacier to ride up and over it. As a consequence the upstream faces to the north west are relatively gently sloping but the downstream faces to the south and east are precipitous and ice plucked. While there are many roche moutonnee in this district Mount Iron is distinct in that its form is absolutely characteristic of this type of feature and its isolation from both other roche moutonnee and adjacent mountains makes it highly memorable and readily legible.



**Fig 4:** Mount Iron located between Wanaka to the west and Albert Town to the east.

Mount Iron has two summits, Mount Iron itself which stands at 547masl and Little Mount Iron to the north which stands at 507masl. This means that the main summit rises approximately 220m above most of Wanaka township and its surrounds and as a consequence Mount Iron is a highly notable feature of the context of Wanaka, visible for some distance from the surrounding countryside. While the western slopes have remnants of pasture the predominant

<sup>6</sup> This section of this report has largely been taken from the earlier report to Council entitled Wanaka Town Boundaries: Landscape Assessment, December 2009.



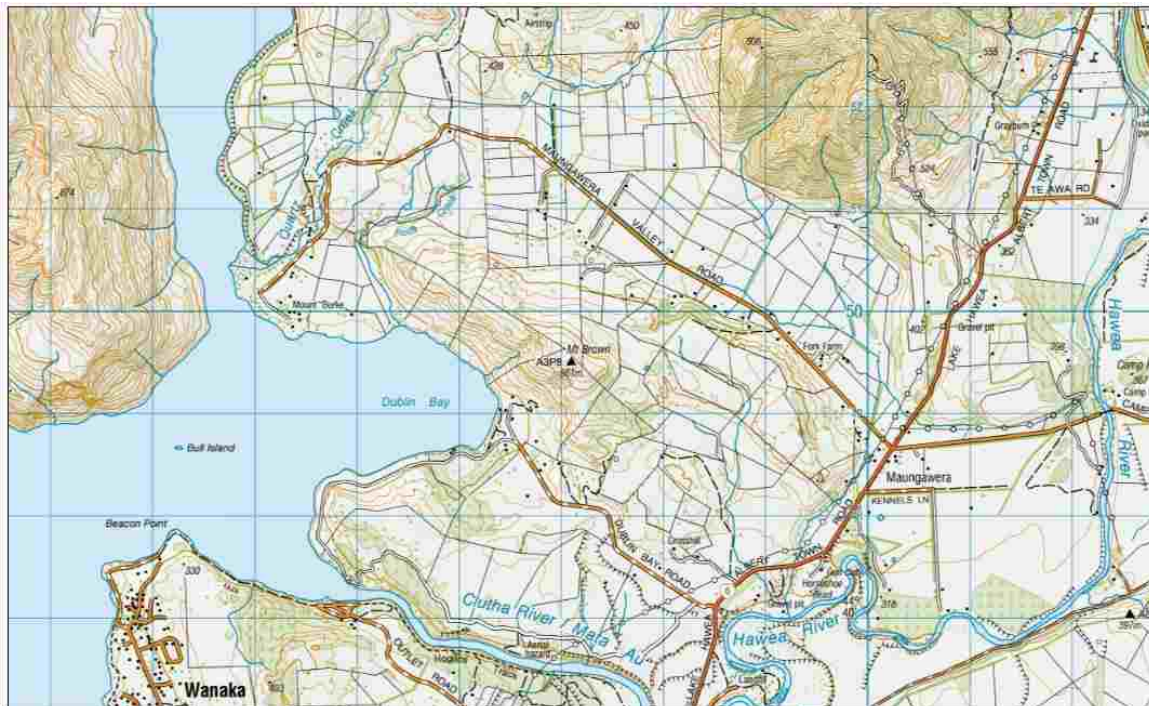
vegetation cover is matagouri and coprosma scrub with extensive stands of kanuka extending over the higher slopes from the west to the foot of the eastern faces. The occasional wilding conifer is present, but not in sufficient numbers to be particularly noticeable. The unmodified nature of most of the mountain, particularly its eastern faces, gives it moderately high natural character. Subdivision and development for housing has been undertaken on the western and northern slopes. This has compromised the natural character to some extent, although the northern subdivision is nestled into the kanuka, diminishing some of its impact on the greater feature. Patterns of light and shade at differing times of the year play on the mountain, particularly on the eastern faces, and kanuka flowering adds seasonal change. I am not aware of the mountain having any particular significance to Tangata Whenua save that it is called Matukituki<sup>7</sup>, nor am I aware of any particular European historic significance. In conclusion I consider that Mount Iron is both sufficiently natural in character and outstanding in its quality to be considered to be an outstanding natural feature in the terms of S6(b) of the RMA91 and in the terms of the QLDC District Plan.

Determining the line which distinguishes the outstanding natural feature from its surrounding context is not such a simple challenge. Arguably, it should be located at the point at which the roche moutonnee protrudes through the surrounding moraine and alluvial river terrace surfaces. However, development and zoning have already been allowed to spill over this boundary and to significantly compromise the edges of the feature, particularly to the west and the north. For this reason I consider that the boundary to the west and the north should follow the Low Density Residential boundary to the west of the mountain from the south west corner of Lot 2 DP 410272 to the northern corner of Lot 90 DP 360537. From there it should extend to the most easterly corner of Lot 114 DP 387159 and from there follow the easternmost boundaries of the neighbouring lots to Lot 122 DP 387159 and then follow the eastern boundaries of Lots 126, 127 and 128 until the intersection with the Rural Residential Zone. It should then follow the boundary of the Rural Residential Zone around the northern extent of the mountain and then south to the southern boundary of Lot 10 DP 304942. At this point the boundary of the feature, indicated by the change in gradient between the steep face of the feature and the alluvial river terrace becomes easier to follow and the boundary should be located at this point following the foot of the escarpment face around the southern portion of the mountain rejoining the start of the line at the south west corner of Lot 2 DP 410272. This line is illustrated in Appendix 2 Map 2.

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<sup>7</sup> <http://www.nzetc.org/tm/scholarly/tei-TayLore-t1-body1-d12.html>

## 2.4 Mount Brown and the Maungawera Valley



**Fig 5:** Map of the Mount Brown and the Maungawera Valley

In its C114/2007 the Environment Court adopted a line determining the lakeward portion of Mount Brown to be a part of the Outstanding Natural Landscape of Lake Wanaka. This line continues to the south of Dublin Bay and incorporates the northern headland and northern river terraces associated with the Clutha River outlet. The Court did not discuss a location for the north eastern side of Mount Brown.

In a landscape assessment for a resource consent application in Maungawera Valley Road (RM090775) Mr A Rewcastle made the following comment regarding the landscapes of the vicinity. He said:

*Due to the organic and informal nature of topography and landscape elements, in many parts, landscape characteristics blur the boundary between the ONL associated with the north eastern slopes of Mount Brown and the VAL associated with the flat plains of the Maungawera Valley.*

I agree with this observation. Mr Rewcastle did, however, propose a line delineating these two landscapes and I agree, fundamentally with its location. I have incorporated this line into the maps attached to this report in Appendix 2 Maps 3, 4 and 5.

Mr Rewcastle also, helpfully, drafted an indicative line separating the VAL of the Maungawera Valley floor from the ONL of Mount Maude and Mount Burke. While I agree substantially with the location of this line it is my opinion that the terrace complex associated with Quartz Creek is of sufficiently high natural character and aesthetic value, and sufficiently similar to the more elevated areas of ONL (and dissimilar to the surrounding VAL) to warrant its inclusion within the ONL. It is the case, particularly when in the most western reaches of the Maungawera

Valley Road in the vicinity of the Mount Burke Station homestead complex that the proximity of the Peninsula to the west, Mount Brown to the south, and Mount Burke and Mount Maude to the north, overpower the degree of modification of the landscape which is evident in the form of grazed pasture, exotic trees, and farm buildings. I consider this to be a similar situation to that experienced in the Fern Burn valley in west Wanaka where the outstanding natural landscape surrounding is of such scale and dominance that the level of modification of the surrounding landscape becomes irrelevant.

## 2.5 Hawea / Upper Clutha Basin

This area is very large and for simplicity I shall break it into a number of smaller units. These are west Hawea / Mount Maude; north eastern Hawea; south eastern Hawea; the Luggate / Tarras Road; and Luggate / Mount Barker.

### 2.5.1 West Hawea / Mount Maude



**Fig 6:** Map of West Hawea / Mount Maude

The Wilson Farm Partnership case, C158/2005, was an appeal against a QLDC decision to decline consent for a subdivision of some of the elevated land at the southern base of Mount Maude and the northern entrance to the Maungawera Valley. While not directly addressing the issue of the location of the boundary in the vicinity of the site the Environment Court commented that „...the witnesses in this case were agreed that the ONL extended at least as far south as Lot 6 of the earlier subdivision. It is likely to reach as far as the building platform



on that allotment.<sup>8</sup> The Court further noted that all parties agreed that the site was located within the Visual Amenity Landscape.

I agree with this assessment. While the hummocky moraine material situated at the northern foot of Mount Maude is distinct from the floor of the Maungawera Valley it is also distinct from the wilder slopes of that mountain. The vegetative cladding is notable for the extensive planting of exotic trees and it clearly wears the cloak of human occupation more clearly than the higher slopes of the mountain range.

A rough terrace at an approximately similar altitude to the spur discussed above continues along the eastern foot of Mount Maude to the north. Having similar geological and geomorphological character to this spur it has been more readily developed and modified and has a similar character to that of the spur. Similarly, this character is more similar to that of the basin floor than of the steeper mountainside above. It is the case that there are a number of stands of exotic conifers scattered along this mountainside but their size and distribution suggest that they are self seeded in the main and they do not detract significantly from the relatively high natural character of the upper mountain slopes. The line should descend to the margin of SH 47 just to the south of the Lake Hawea outlet and should follow this route until just north of the outlet, noting, of course, that the outlet has been significantly modified in order to raise the level of the lake. This line is illustrated in Appendix 2 Map 6.

#### 2.5.2 North eastern Hawea



**Fig 7:** North eastern Hawea

<sup>8</sup> C158/2005 Para 5, P2

While, as noted above, Lake Hawea is an artificially raised hydro lake, it is still the case that, water level excepted, it is still subject to predominantly natural processes and still warrants classification as an Outstanding Natural Landscape. Consequently I consider that the margin of the lake along its southern edge should similarly be considered to be a part of that landscape. While the level of naturalness of this margin is arguable, it nonetheless demonstrates the processes of interaction between water and land and is clearly associated with the lake.

Hawea township has been constructed on the western half of the terminal moraine of the last Hawea glaciation. The eastern half is currently devoid of significant development in terms of notable earthworks and buildings (although I note that consent has recently been granted to construct a walkway through the moraine system). Most of the terminal moraine of Lake Wakatipu is located outside of the QLDC district. The Lake Wanaka moraine has been overtaken by recent development within Wanaka township. This eastern portion of the Hawea moraine is the last piece of terminal moraine which retains a reasonably unmodified natural character. It is highly legible and contributes to the viewer's understanding of the formative processes of the district. While its ecology has been modified by agriculture it does have some regenerating indigenous vegetation present. Consequently I consider that the eastern half of the terminal moraine should be included within the Outstanding Natural Landscape of Lake Hawea. This is illustrated in Appendix 2 Map 7.

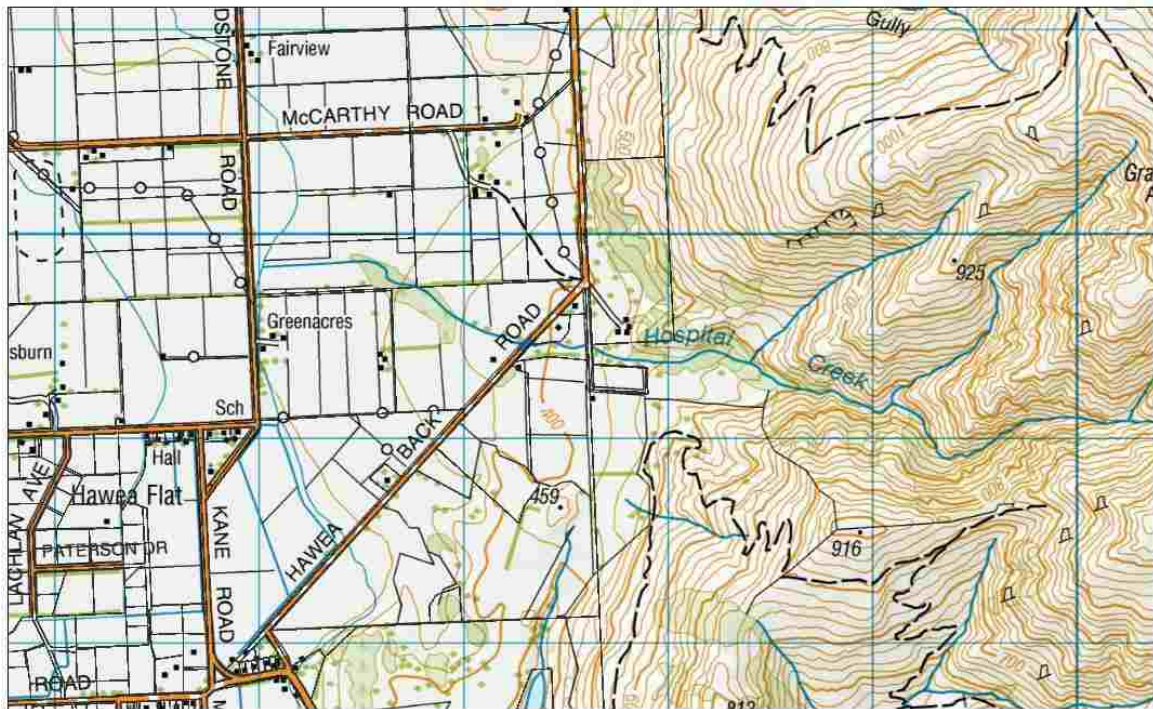
It is the case that the moraine has been modified by outwash material at its eastern most extent. This outwash fan is largely occupied by the settlement of Gladstone which forms the core of a Rural Residential zone. Consequently the line needs to separate this zone from the Lake to its north west. To the south west of Gladstone there is another small village surveyed which is located within a cutting in the moraine probably created by a stream. While there is a network of named roads and there are residential lots identified there is no obvious evidence that this village ever existed, and all of the land is currently zoned Rural General. Thus, while the fourteen residential lots are on individual title and saleable, and the roads are legal roads, any development on the lots would be subject to the rules of the Rural General zone and it is arguable that most of these residential sections are not within the area of the moraine anyway.

From the north eastern corner of the Hawea Flats I consider that the boundary follows the foot of the Breast Peak and Mount Grandview Range. I undertook a detailed assessment of the location of the line separating the VAL of the flats from the ONL of the mountains for a report on a subdivision consent, RM070222 (McCarthy Bros). I continue to consider that this was a rigorous assessment and that the location of the line which I identified was appropriate<sup>9</sup>. This line is illustrated in Appendix 2 Maps 7, 8, and 9

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<sup>9</sup> It was the case that the Commissioners hearing the application effectively added my assessment and the applicant's landscape architect's assessment together, resulting in a demarcation between VAL and ONL different to that of either myself or that landscape architect.

### 2.5.3 South eastern Hawea Flats



**Fig 8:** Map of south eastern Hawea Flats

The location of the boundary line between the ONL and VAL at the south eastern corner of the Hawea Flats is difficult to determine because of a lack of clear features. This corner of the flats is the location of the intersection of the terminal moraine from an earlier glaciation, the schistose mountain range of Mount Grandview, and outwash deposits from this mountain range. It is my understanding that this area was the location of the outflow of an older, higher Lake Hawea and that the valley which runs along the foot of the mountain range to the south is the paleo-channel of this outflow. It is also my understanding that the small lakes at the northern end of this valley are entirely artificial. The hummocky and elevated land forms to the east of Kane Road at the south eastern corner of Hawea Flats are clad with conifers. It is quite clear that the landscape on the top of the moraine, the moraine and outwash plain, is not a part of an outstanding natural landscape. Consequently the question is, where does the line go in between? It is now my opinion that it should follow the top of a shallow spur, the land behind which has been determined previously to be ONL, and then loop over the landform to the east until the Grandview Range proper is met, and from that point it should follow the foot of the Grandview Range south. This line is illustrated in Appendix 2 Map 9.

### 2.5.4 Kane Road / Mount Grandview / Tarras Road

That the landscape line can be located at the foot of the Grandview Range along the valley floor to the east of Kane Road is probably not readily disputable. However, in the southern reaches of this area, in closer proximity to the Clutha River the landscape, once again, becomes complex. At the southern end of Kane Road, to the north west of the Crook Burn a long spur juts out from the lower slopes of the Mount Grandview Range. It is of sufficient size



that its upper surface, which is relatively flat, has been cultivated and divided into a number of large paddocks separated in some places by conifer wind breaks. However, the escarpment faces of this land form are notable for their indigenous vegetation and their strong visual similarity to the more elevated slopes of the mountain range. To the south east of the Crook Burn there is another similar but somewhat smaller area. Neither of these elevated areas is of sufficient area or distinctiveness to be more than a landscape unit, that is, they are not of sufficient area to be landscapes in their own right. Further, the upper surfaces of these spurs are not readily visible from any public viewpoints although some of the shelter belts and pivot irrigators are visible on the top of them at some points in their rotations.

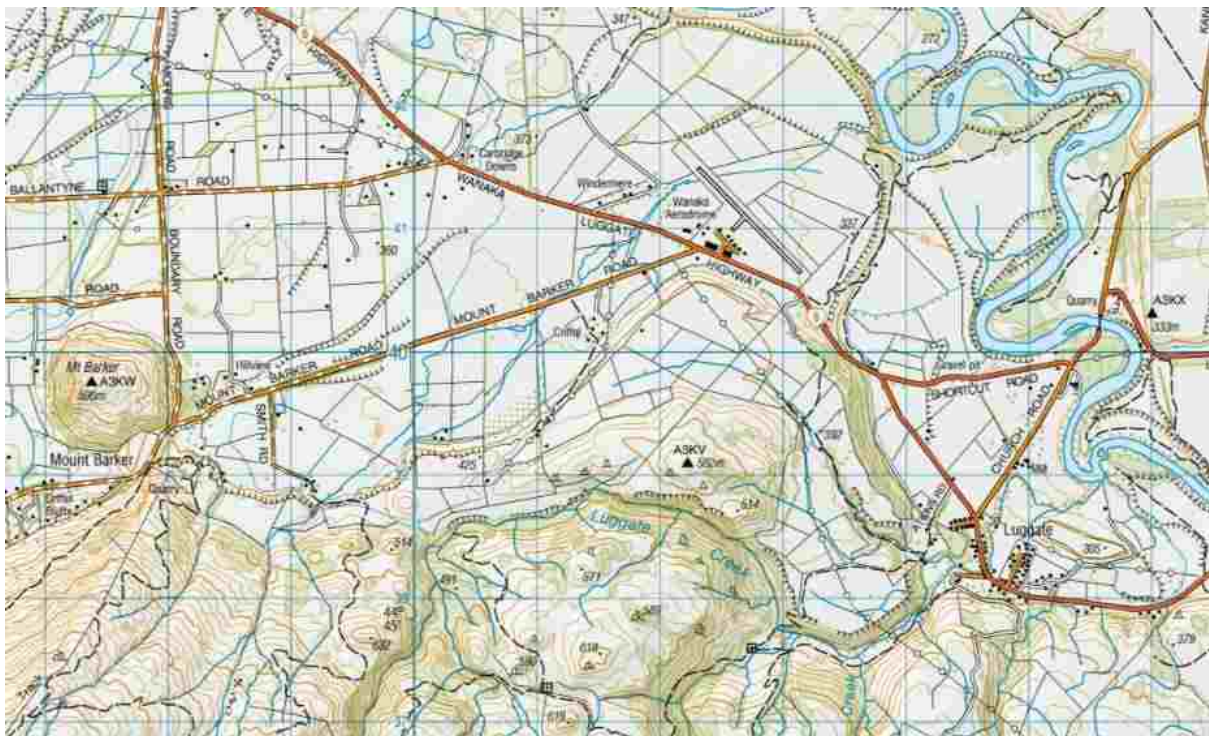


**Fig 9:** The Kane Road / Tarras Road area of elevated outwash terrace deposits.

In geomorphological terms this landscape is predominantly outwash terrace deposits. It entails large flat and flattish areas interspersed with steep escarpments and cut with gullies and river terraces. It is, in my opinion, a highly legible landscape in terms of its formative processes. The ecology of the area has been significantly modified by farming practise although the gullies and other areas which have proved difficult to cultivate often show evidence of remnant indigenous vegetation. However, the predominant vegetative cover is pasture, with conifer and poplar windbreaks along paddock boundaries and exotic conifers in occasional forestry blocks. In my opinion this landscape has high memorability. It is a very brown landscape. The terraces form strong horizontal lines across the landscape which are

often suddenly truncated in steep escarpments which provide striking contrast. The blue-green of the conifer windbreaks forms another striking contrast to the predominantly brown grasses. The presence of the windbreaks and forestry blocks mean that this landscape does wear a cloak of human activity fairly obviously. This factor alone, in my opinion, means that it fails the test of being an Outstanding Natural Landscape. This landscape is adjacent to the Outstanding Natural Landscapes of the Grandview Mountains to the east and the Pisa Range to the south. It encompasses downlands and terraces. Consequently I consider that this landscape is correctly categorised as a Visual Amenity Landscape and I have located the landscape line across the tops of these spurs at the base of the mountain slopes. This is illustrated in Appendix 2 Maps 10, 11, 12, and 13.

#### 2.5.5 Luggate to Mount Barker



**Fig 10:** The northern margin of the Pisa Range between Luggate and Mount Barker.

This too is a complex landscape. The higher faces of the Pisa range have a high natural character; are memorable and clearly warrant the designation of ONL(DW). In my opinion the boundary of this ONL should follow the base of the Pisa Range from the District boundary skirting around behind Luggate along the boundary of the residential zoning and then follow the true right bank of Luggate Creek. It should cross the creek to the south of the knob „A3KV” to incorporate the bluff system beyond its left bank within the ONL. The line should then follow the southern and western edge of the north facing terrace until the vicinity of Mount Barker is reached.

Mount Barker has been reasonably consistently assessed as an outstanding natural feature in consent applications in its vicinity. It is a classic roche moutonnee and although colonised by

conifers and other exotic weeds is a distinctive and readily legible landform visible from much of the upper Clutha Basin. I consider that the ONF of Mount Barker and the ONL of the Pisa Range are contiguous. The line should then continue along the slope and follow the boundary of the Rural Lifestyle zone until reaching the putative line at the mouth of the Cardrona Valley. This line is illustrated in Appendix 2 Map13, 14, 15, and 16.

## **2.6 Clutha River Corridor**

The landscape of the northern portion of the Clutha River Corridor is that of the glacial moraine which has been cut through by the Clutha River. At its highest point within this sub-area the moraine reaches 403masl, which is the highest point of the moraine in the vicinity of Wanaka. This point is located within an area which is currently under a pine plantation known as „Sticky Forest“. While the land form slopes steadily to the west towards the lake from this high point, to the north, south and east it has a much more hummocky but gently declining topography dropping towards the confluence of the Cardrona and Clutha Rivers to the east of Albert Town. The Clutha runs between steeply cut terrace faces for much of its length through this part of its course. The land is clad, in the main, by rough pasture. Where the land drops away more steeply to the Clutha in the north the vegetative cover includes conifers and a mix of indigenous scrub.

The outlet of the Clutha River was determined to be an outstanding natural feature in the Crosshills Farm case (C114/2007) and it is the case, arguably that the entire river corridor is also. The Clutha River Outlet is particularly significant in that, of the major lakes in the District, it is the only one which remains unmodified. The outlet and the upper reaches of the river are contained within a distinct channel with steep terrace escarpments on both sides. While it is the case that the Outlet Camping Ground is located within this area, the amount of built form is low and the type is rustic and nestled within indigenous scrub. Maintaining this level of development in this location would not threaten the landscape quality or the integrity of the river feature.

It is my opinion that the river and its margins, from the top of the terrace on one side to the top of the terrace on the other side, is correctly defined as the ONF of the river. It is my opinion that the ONF of the river, as opposed to the ONL of the Lake, begins at the point at which the river current becomes noticeable which corresponds, approximately, with the location of the navigation buoy located in the river.

As one moves down the river corridor the river terraces move away from and towards the river on alternate sides. Arguably the Hikuwai Reserve should be included within the ONF of the river. However, the open flood plain between it and Albert Town on the true right of the river could not as it is too highly modified incorporating much of Albert Town itself. The area to the south of the confluence of the Hawea and Clutha rivers has recently been subject to a

thorough assessment by a colleague in a report on a Resource Consent application (RM110287). I paraphrase Mr Denney's assessment here<sup>10</sup>.

The terrace landscape of the valley floor of the Clutha River is derived from glacial outwash and alluvial fans that have subsequently been cut into creating a series of broad sweeping terraces. These terrace forms extend from Wanaka down to Cromwell and are a distinct geological feature of the upper Clutha valley. The terraces on the eastern side of the confluence of the Hawea, Clutha and Cardrona rivers are relatively uniform in topography providing wide open areas of flat land. The well defined terrace faces vary in height from around 60m to only a few metres.

The confluence of the Hawea and Clutha rivers provides a converging arrangement of terraces that overlap. The terrace faces and the lower terraces are distinct landforms which are visible from Albert Town, State Highway 6, and a number of local roads including Camp Hill Road and Butterfield Road. The long tapering terrace faces sweep around the apex formed by the convergence of the two rivers providing varying aspects from the north around anti clockwise to the south. The abrupt changes in topography between terrace face and terrace flat creates a spatial depth between the terraces that is highlighted by the changing light conditions throughout the day and seasons.

The landscape is open with generally a monoculture of pasture and very little other vegetation except for isolated areas of kanuka. It is the simplicity and scale of openness of the landscape towards the Clutha and Hawea Rivers that is most memorable. Apart from pasture and two shelter belts the landscape appears largely undisturbed by development.

To the north the Butterfield Road terrace face is clearly dominant in the landscape rising some 60m above the flat terrace below. Its tall face is clear reflection of the erosive behaviour of the Hawea River. South of the Butterfield road terrace, the landscape becomes broader with open terraces and with multi layers as the Clutha River comes more into play. The landform is a layered series of terrace and terrace face and is easily read as being formed by the adjacent rivers. The broad scale of the landscape enables panoramic views and provides clear association between terrace, terrace face and active river flood plain.

The changing light of the day on such a broad landscape provides a clarity to the topographic relief that is relatively undisturbed by buildings, roads, and even trees. The open pasturelands wrap to the contour and provide a fine grain texture to which the changing light captures every fine detail of the relief. This creates a landscape in which the natural landform is highly dominant and impressive, forever changing throughout the day and seasons. This effect is more dominant towards the south where the proportion of open land is generally greater.

Further south down the valley the similar and associated landscape of the upper Clutha terraces, known as Sugarloaf, adjacent to State Highway 6 in the vicinity of Lake Dunstan and Lowburn Inlet is identified by the Central Otago District Council District Plan<sup>11</sup> as an Outstanding Natural Feature. The New Zealand Geological Survey of New Zealand described the terrace landscape of the upper Clutha valley as "spectacular flights of terraces cut in glacial outwash and tributary fans"<sup>12</sup>.

As noted previously, the Clutha River is a traditional focus of seasonal migrations and transport route providing access to the lakes Hawea and Wanaka, and to the west coast. The river has also been a tribal boundary

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<sup>10</sup> R Denney, RM110287 Landscape Assessment, June 7<sup>th</sup> 2011.

<sup>11</sup> Central Otago District Plan, 1 April 2008 Page 19:45, Schedules 19.6.2 : Outstanding Natural Features and Landscapes

<sup>12</sup> Pleistocene Deposits of the upper Clutha Valley, Otago, New Zealand, by I.M. McKellar, New Zealand Geographical Survey, Dunedin, received for publication, 11 November 1959.

I consider, on the basis of Mr Denney's assessment that this area should be included within the Outstanding Natural Feature of the Clutha River and I have incorporated his map within my own. As one moves further east past the terrace system at the confluence of the Hawea, Clutha and Cardrona Rivers the channel of the river narrows and is enclosed by the high terraces on both sides, with further narrow lower terraces also before the land drops away to the course of the river itself. In this enclosed corridor the power of the river in creating the channel is clearly evident. They evince high natural character, have extensive indigenous vegetation cover, and are highly legible landforms illustrating the effects of the meandering course of the river through time. I have not continued my assessment to the east of the Red Bridge as, at the time of undertaking field work, that portion of the River was not readily accessible. However, from a desk top study I consider that the boundary of the ONF should follow the top edge of the lower terrace, at least on the true right of the river. This is, in the main, because of the location of Luggate township and other development on the next terrace. On the true left of the river I consider that the line should similarly follow the top of the lower terrace. The upper terrace in this vicinity is expansive and its intensive agricultural use has imbued it with the qualities of a visual amenity landscape. These lines are illustrated in Appendix 3 Maps 1, 2, 3, 4, 5, and 6.

Two factors complicate the assessment of this corridor as an ONF. The first is the presence within the feature of the Hydro Generation Special Zone. However, I note that Section 12.13.3 of the District Plan states that, "Any activity not defined as hydro generation activity for the purposes of this Plan shall be subject to Part 5, Rural General Zone provisions". Consequently it would seem appropriate that the ONF categorisation be considered when assessing any such other activity. Secondly, west of Luggate the lower flood plain has been subject to a residential subdivision which created eight lots, six of approximately 20ha in area, one of approximately 30ha and one of approximately 40ha in area, each with a registered building platform. The Commissioners considered (on the basis of the landscape assessment provided) that the landscape was VAL. I consider this categorisation to be in error. However, the degree to which this subdivision could adversely affect the ONF of the river corridor is mitigated by the size of the lots and the fact that the subdivider voluntarily covenanted a 50m wide boundary setback to enable the regeneration of the kanuka to reduce the visibility of any dwellings from the river. While it is possible that the use of the land for other permitted activities (the subdivision application discussed viticulture) could have a domesticating effect I consider that the character of the soaring river terrace escarpments and the extensive indigenous vegetation in the vicinity of the river would likely mitigate the adverse effects of such activities.



### 3.0 QUEENSTOWN AND THE WAKATIPU BASIN – GENERAL ISSUES

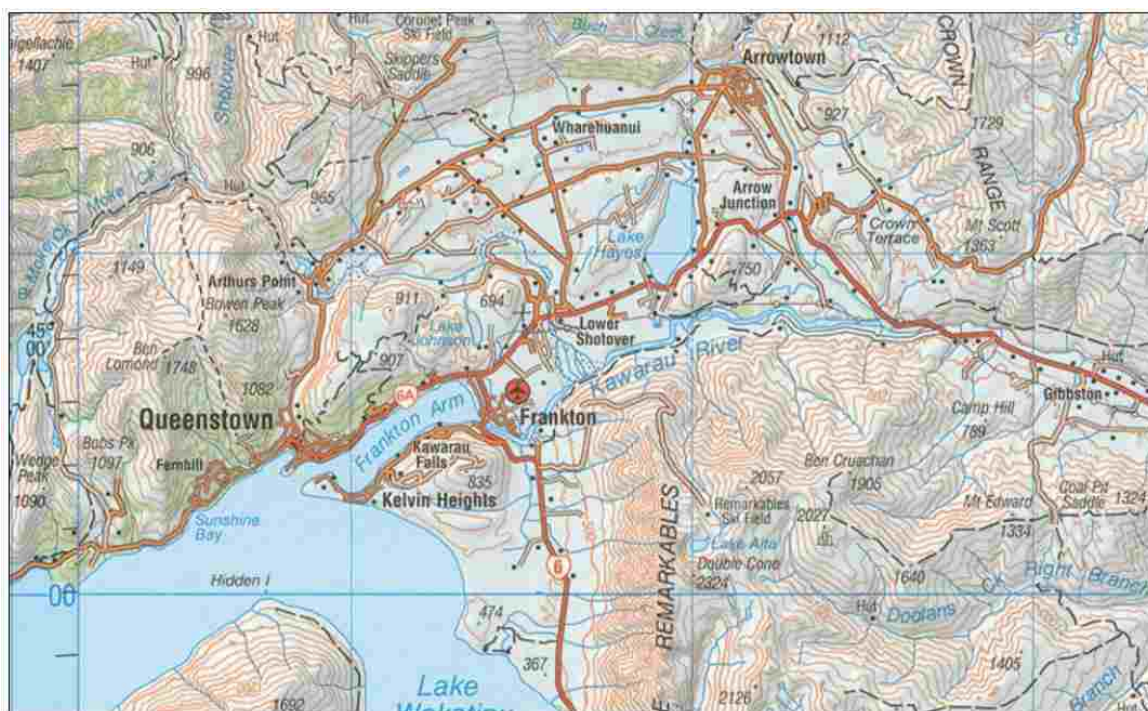


Fig 11: Map of Queenstown and the Wakatipu Basin

A number of general issues arise in the Wakatipu Basin relating to the system of landscape classification enshrined in the District Plan, and in the operation of the system in this location. Perhaps the most critical is that the „Other Rural Landscape“ classification, since the Trident Case<sup>13</sup> has become an effective „dumping ground“ for small pieces of land which have become isolated from their landscape context by some means, usually plan changes or development. The Trident Case related to a proposed development on Queenstown Hill. The land on which the development was proposed was zoned Rural General but the landscape assessment of the proposal put it outside of the Outstanding Natural Landscape of the hill, arguing that the site had an urban character. The High Court ruled that the Plan required all Rural General land to be classified as belonging to one landscape classification or another and that consequently, if the land could not be said to be part of the ONL or of a VAL it must be „Other Rural Landscape“. A number of these areas exist, most immediately adjacent to Outstanding Natural Landscapes or Features, which was clearly not anticipated by the writers of the Plan as being adjacent to one of these landscapes is a defining characteristic of a Visual Amenity Landscape. As the Council's ability to control development within these landscapes seems less robust than within other areas two possible outcomes may arise. The one is rezoning by resource consent, where development appropriate to the adjacent zone occurs. The other is that the ability to control adverse effects on the neighbouring landscape is limited (the Plan clearly does not anticipate the adjacent landscape being Outstanding as the assessment matters for ORL only require an assessment of adverse effects on adjacent VAL).

<sup>13</sup> CIV 2004-485-002426 Trident vs QLDC

A second, more specific but related issue, is the zoning of the area of the Wakatipu Basin known as the Hawthorn Triangle. This area is currently zoned Rural General and has been determined by the Environment Court to be within an Other Rural Landscape on the basis of the level of subdivision which had been consented to within it. Problematic is that it is not a landscape *per se* but rather an area of intensive development within a landscape. This renders the surrounding landscape vulnerable to development pressure in a way which I do not believe was intended by the Plan.

On a more general basis, the putative landscape boundaries provided by C180/99 within the Wakatipu Basin have been the subject of many discussions. In some instances these discussions have significant potential consequences on resource management and property rights. In others they simply raise anomalies and oversights which would require little effort to remedy. I shall address these three issues in the following pages.

### **3.1 Jacks Point**

C90/2005 determined the location of the VAL/ONL boundary in the vicinity of Jacks Point. The main issue on which the reference focused was whether or not the land owned by DS and JF Jardine was a part of the ONL(WB). This land is located to the south and east of the Jack's Point zone. C203/2004 had already located a line separating the ONL(WB) of the Remarkables from the Coneburn Valley floor at its northern extent close to the Kawarau River. This latter case was to determine the location of the boundary to the south and west.

The reference was, in the final instance, only supported by Shotover Park Ltd and Naturally Best New Zealand Ltd, the other parties to the reference having come to an agreement to support the position put forward by Ms L Kidson, Council's Landscape Architect. The Court finally adopted Ms Kidson's proposed line, finding against the argument of the referrers. The discussion in the decision focuses entirely on the Jardine land and the Coneburn Valley. The line which Ms Kidson identified and which the other parties agreed to in mediation, included areas not discussed in the decision, namely the lake edge along the western side of the Jacks Point zone; Jacks Point itself (despite its being within the Jacks Point zone and not the Rural General zone); and Peninsula Hill. The line which isolates Peninsula Hill from the low density residential zone of Kelvin Heights was drawn along the boundary of the Rural General zone.

The solution provided by Ms Kidson was correct in the terms of the Plan if not necessarily correct in the terms of the actual landscape. Unless there is a willingness to alter the boundaries of the Low Density Residential zone then I consider that the landscape line should remain where it is currently drawn.

### 3.2 Frankton Arm / Queenstown Bay / Lake Wakatipu

#### 3.2.1 Frankton Arm

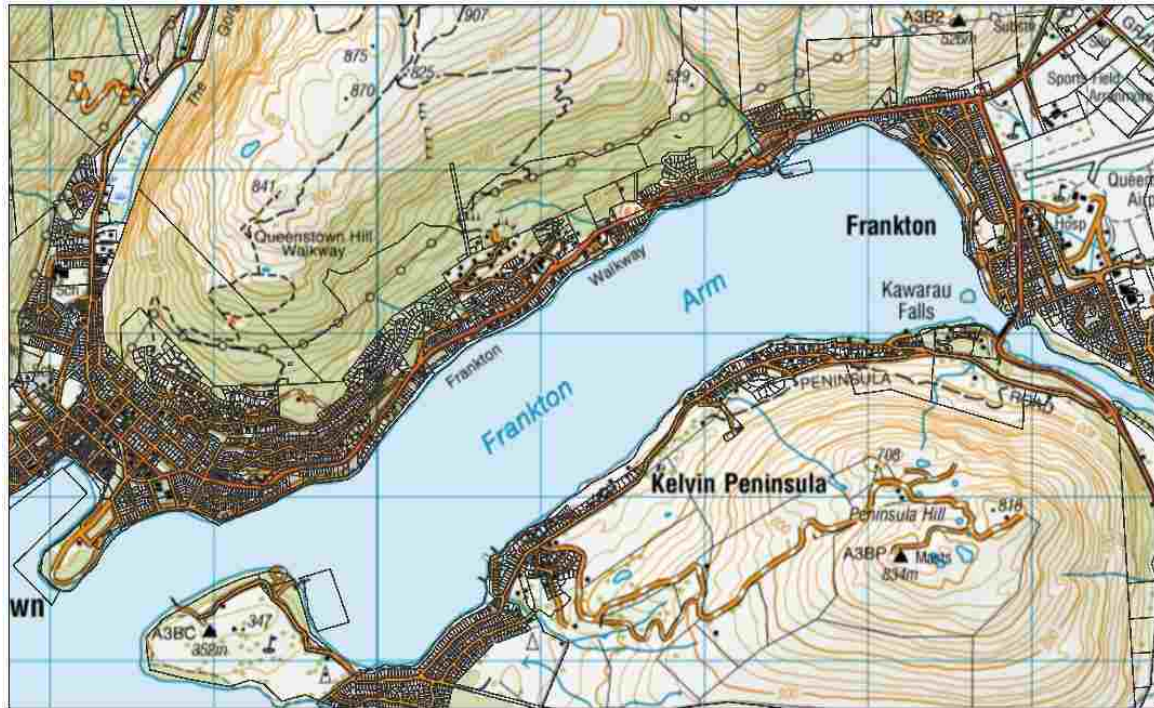


Fig 12: Map of Frankton Arm

The landscape classification of the Frankton Arm of Lake Wakatipu is extremely problematic. The C180/99 decision states at paragraph 107 that:

*We find as facts that:*

...

*(2) Lake Wakatipu, all its islands, and the surrounding mountains are an outstanding natural landscape.*

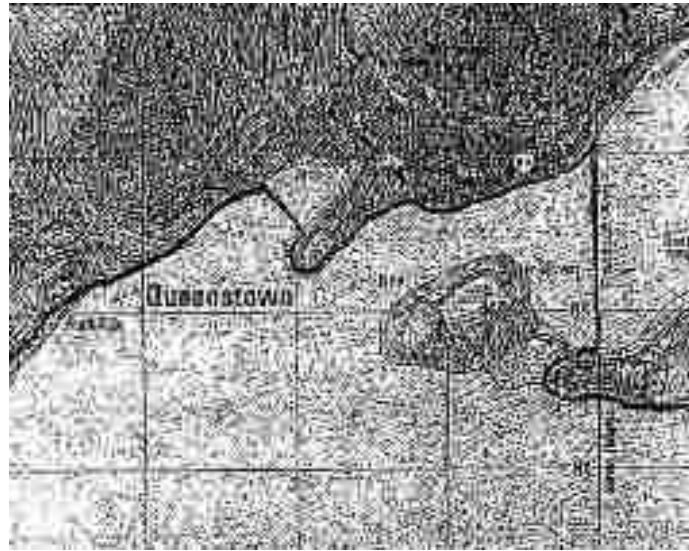
At paragraph 111 the same decision states that the line distinguishing the ONL:

*...inside which the landscape is not an outstanding natural landscape but is at least in part visual amenity landscape...[follows]*

- *around Peninsula Hill excluding urban zoned land in Frankton*
- *then back to Sunshine Bay around the lake edge as shown on Appendix II.*

The relevant portion of the Appendix II map is reproduced below.





**Fig 13:** Excerpt from Map included in Decision C180/99

This line separates the Frankton Arm from the body of Lake Wakatipu but includes the Kelvin Heights Golf Course peninsula within the ONL(DW). It is my opinion that the location of this line is not defensible in landscape terms. The Kelvin Peninsula and the Botanic Gardens peninsula are identical in geomorphological terms, and indeed are probably remnants of the same moraine which has been breached by the lake. Both are significantly modified in terms of their ecological integrity and their obvious vegetative cover. Both significantly penetrate the lake's surface and consequently gain much of their character from being surrounded by water. Both are zoned Rural General. The line running from Kelvin Heights to the northern shore of Frankton Arm runs due north – south. It does not appear to connect with any significant landscape feature on either shore but runs from the northern corner of the low density residential zone on Kelvin Heights to an arbitrary point on the northern shore. Further, the line separating Frankton Arm from the body of the lake includes, at its western end, a significant area of lake surface. While the character of the north eastern shore of the Kelvin Peninsula may be less developed than the more eastern, suburban portions of Kelvin Heights it is nonetheless the location of the Kelvin Heights Yacht Club, several jetties, numbers of moorings and slip ways including the Earnslaw's dry dock, all features which are similar to those found along the waterfront to the east. While one might logically determine that the level of development on and around the Frankton Arm give it a character distinct from that of the main body of the lake, one would expect that a line denoting that distinction would cross the neck, that is the narrowest point which distinguishes one body of water from another. A line in such a location would run from the northern most point of the Kelvin Peninsula across the shortest distance to the northern shore.

These apparent contradictions have been matched by landscape assessments which have variously determined the Frankton Arm to be a part of the outstanding natural landscape (Wakatipu Basin), as a part of the ONL(DW), as a part of the VAL of the Wakatipu Basin, and as an other rural landscape (ORL). Despite all of these various assessments I cannot find a

single example of a resource consent application for an activity on or within the Frankton Arm which has been declined on the basis of the adverse effects it was likely to have on the landscape although it is certainly the case that applications, particularly for moorings, have been modified because of the assessed adverse cumulative effects on the landscape of the Arm.

It is the case that the District Plan requires that all land zoned Rural General must be subject to landscape categorisation. It is the case that the margins of the lakes are so zoned as well as their surfaces and it is presumed that this is in order to satisfy the requirements of S6(a) of the Act rather than S6(b). It is my opinion that the margins of the Frankton Arm of the lake have a significant level of development in terms of jetties, boatsheds, slipways and tracks. As a consequence of these modifications I do not believe that, issues regarding the lakes surface excepted, these margins retain sufficient naturalness or aesthetic quality to be assessed as an outstanding natural landscape in their own right.

The Frankton Arm of Lake Wakatipu has a character which is different to that of most, if not all, of the rest of the lake. It is more enclosed than any other part of the lake. It is surrounded by residential development, the only exception being the north eastern side of the Kelvin Peninsula. There are extensive numbers of boat moorings, jetties, slipways, and boat sheds along its margins from adjacent to Park Street and the Botanic Gardens right around to the northern head of the Kelvin Peninsula. It is the location of much recreational and some commercial boating. It is my opinion that the Frankton Arm and its margins should either be given its own zone, or an activity overlay which removes from it the requirement for any landscape categorisation. This zone or activity overlay would entail its own objectives and policies which should focus on the maintenance of the amenity of the Arm and on its importance as a site of lacustrine activities. This would require the delineation of a boundary for this overlay and I have attached a map illustrating this in Appendix 4 Map 1. .

### 3.2.2 Queenstown Bay

Queenstown Bay is, in part at least, zoned „Town Centre Zone“. This zone has explicit policies and objectives for the management and development of activities within the Bay.

#### **Objective 3 - Land Water Interface: Queenstown Bay**

***Integrated management of the land-water interface, the activities about this interface and the establishment of a dynamic and aesthetically pleasing environment for the benefit of the community and visitors.***

#### ***Policies:***

*3.1 To encourage the development of an exciting and vibrant waterfront which maximises the opportunities and attractions inherent in its location and setting as part of the town centre.*

*3.2 To promote a comprehensive approach to the provision of facilities for water based activities.*

*3.3 To promote maximum pedestrian accessibility to and along the waterfront for the enjoyment of the physical setting by the community and visitors.*

*3.4 To identify the important amenity and visual values, and to establish external appearance standards to help secure and implement these values and implement those through the District Plan.*

*3.5 To provide for structures within Queenstown Bay waterfront area subject to compliance with strict location and appearance criteria.*

*3.6 To conserve and enhance, where appropriate, the natural qualities and amenity values of the foreshore and adjoining waters.*

*3.7 To retain and enhance all the public open space areas adjacent to the waterfront and to manage these areas in accordance with the provisions of the Sunshine Bay, Queenstown, Frankton, Kelvin Heights Foreshore Management Plan.*

In many ways Queenstown Bay is similar to Frankton Arm in the sense that its quality is both a function of its naturalness, as a part of the lake, and its development, in the main jetties and boating activities. Together these provide for a vibrant and exciting foreshore which forms a focus for the township but which remains subservient to the natural landscape. I consider this approach to managing the Bay is appropriate and that it could provide a model for the Frankton Arm.

### **3.3 Queenstown Township and Environs**

There are a number of issues in this area regarding the locations of the boundary of the ONL(WB). The major issue in this vicinity is that the location of the boundary between the ONL(DW) and the ONL(WB) appears arbitrary and cannot, in my opinion, be sustained by reference to any landscape features or qualities. Further, more minor, issues are the location of the boundary of ONL(WB) in the vicinity of the boundary of the Sunshine Bay Low Density Residential zone and the landscape classification of the One Mile Creek catchment.

#### **3.3.1 Location of the putative boundary between the ONL (Wakatipu Basin) and the ONL (District Wide) in Sunshine Bay**

The putative boundary between the Outstanding Natural Landscape (Wakatipu Basin) and the Outstanding Natural Landscape (District Wide) was located by the Environment Court in C180/99. For the majority of its extent the line follows the ridgeline of the mountain ranges which enclose the Wakatipu Basin and the area in the vicinity of Queenstown township. Four exceptions exist to this.

- The line across the Kawarau River gorge runs in a straight line between the summits of Cowcliff Hill and Mount Scott.
- The line across the Arrow River gorge runs in a straight line between the summit of Mount Scott and the summit of Big Hill.
- The line forming the southernmost boundary of the Wakatipu Basin ONL descends from the ridgeline of the Remarkables Range into the bed of Wye Creek and from there descends to the lake edge.

- The line forming the western most boundary of the Wakatipu Basin ONL descends in a straight line from Point 1335 on the southern ridge of Ben Lomond to the lake edge in Sunshine Bay.

With regard to the location of the line across the Kawarau and Arrow River gorges, while neither of these lines follow any sort of land features or visible landscape boundaries, both are outside of the visual catchment of the Wakatipu Basin. That is, from all locations where you know you are in the Wakatipu Basin the location of these lines is hidden from view by intervening spurs and other land forms. The bed of Wye Creek, while not a clearly defining terminating feature of the Basin, is nonetheless a natural feature which is clearly visible from within Queenstown and its surrounds and so the location of the line contiguous with that feature has some logic. The location of the line running from Point 1335 on the southern ridge of Ben Lomond is both within the visual catchment of the Queenstown township and Wakatipu Basin and follows no natural feature.

The C180/99 decision The Court stated that, „We consider that outstanding natural landscapes and features should be dealt with in (at least) two parts: the Wakatipu Basin and the rest of the district“<sup>14</sup>. The Court continued:

*The Wakatipu Basin is more difficult to manage sustainably. The outstanding natural landscapes and features of the basin differ from most of the other outstanding natural landscapes of the district in that they are more visible from more viewpoints by more people...for these reasons, the Wakatipu Basin needs to be treated as a special case and as a coherent whole.*<sup>15</sup>

From every conceivable vantage point – from Wye Creek, the Remarkables Ski Field road, the Cardrona Ski Field, Queenstown botanic gardens, the Kelvin Heights golf course – the southern ridge of Ben Lomond provides a notable point of enclosure to both the township and the basin protruding, as it does, into the lake. There is no alteration in topography, underlying geomorphology, vegetation cover or degree of visibility to indicate why the line in this vicinity should not follow the ridgeline as it does so around the rest of the Wakatipu Basin.

Consequently it is my opinion that the line separating the ONL (Wakatipu Basin) from the ONL (District Wide) should follow the ridgeline from the place where its tip exits the lake, and follow that ridgeline to its summit of Ben Lomond.

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<sup>14</sup> C180/99 P80, Para 135.

<sup>15</sup> *ibid* P81, Para 136



**Fig 14:** Map showing locations of putative and proposed boundaries between the ONL (Wakatipu Basin) and the ONL (District Wide)

### 3.3.2 The location of the putative ONL (Wakatipu Basin) line in relation to the western edge of the Sunshine Bay Low Density Residential Zone.

A further anomaly exists with regard to the location of the boundary of the ONL (Wakatipu Basin) within Sunshine Bay. Text of C180/99 states that the Wakatipu ONL excludes all lands zoned residential, industrial or commercial. Consequently the putative line delineating the inner boundary of the ONL generally follows the zone boundary. However, at the western edge of Sunshine Bay it is located approximately 400m to the west of the Low Density Residential zone incorporating an area of Rural General land within the township. In my opinion the appropriate position for the boundary line is contiguous with the zone boundary in this location, there being no identifiable features to distinguish this land from that adjoining it to the west.

### 3.3.3 The One Mile Creek catchment

The One Mile Creek catchment forms a natural interruption between the residential development to the west of the town centre and that of Fernhill and Sunshine Bay. Edging the gully containing the creek are two blocks of Council owned land. The first is a block of

approximately 8ha of land off Fernhill Road in which Council has developed the Wynyard mountain bike park and while it is zoned Low Density Residential it is also included within the recreation reserve which encompasses most of the southern face of Ben Lomond and Bowen Peak behind the township. The second is an area of approximately 13ha on the eastern side of One Mile Creek, bisected by the road corridor which contains the Ben Lomond track. This block of land is subject to the Queenstown Commonage Reserve Management Act 1876 which requires the land to be held in trust for the use of the inhabitants of Queenstown. The putative landscape line follows the upper boundaries of these lots excluding the lower gorge of One Mile Creek from the ONL(WB).

The One Mile Creek gorge is a natural feature of some beauty and integrity. The walkway which extends up it from the Power Station and which meets up with the access road to the Skyline building wends its way through remnant beech forest. While not being of sufficient significance to qualify as an outstanding natural feature in its own right it is a natural feature of some importance and, arguably, an important heritage landscape feature also containing as it does the relic remains of Queenstown's first hydroelectric power station. In my opinion the One Mile Creek gorge should be included within the ONL (WB) which would require locating the line further south, crossing the gully in the vicinity of the power station. This extension is illustrated in Appendix 3 Map 2.

#### 3.3.4 Queenstown Urban Area (Gorge Road / Queenstown Hill / Frankton Road)

It is the case that the mountain slopes around Queenstown township provide a spectacular container for the town. While not strictly a landscape criterion, it is my opinion that the ONL boundary around Queenstown township should follow the boundary of the adjacent township zones. Following the Trident case<sup>16</sup> we are required to ascribe the landscape category „other rural landscape“ to any remnants of Rural General zoned land which cannot be ascribed a landscape classification in their own right. This can occur where a pocket of Rural General zoned land is located between a landscape boundary and a zone boundary (which is what occurred in the Trident case which was located on Queenstown Hill). The „other rural landscape“ classification offers the lowest level of landscape protection.

This raises an important general issue relating to the classification of other rural landscape. It is the case that the management of these areas is the least stringent under the District Plan. This appears to have been based on the, not unreasonable assumption, that the least valuable landscapes are least likely to be harmed by further development. However, as the Trident example suggests, ORLs can be located in very significant areas and development within them could potentially have significant adverse effects on the broader landscape which the current rules could not, in my opinion, adequately control.

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<sup>16</sup> CIV 2004-485-002426 Trident vs QLDC

Between Brecon Street and the gorge the north western boundary of the township runs along the lower slope of the mountain escarpment. While a more logical location for the landscape boundary might be the point at which the lake terrace and that escarpment intersect, the actual location is not far removed, although it is located a short distance up the mountainside. The township area excluded from the ONL extends in a finger into the gorge encompassing the area of outwash material which forms the open, gently sloping floor of the gorge. This finger of ground encompasses land owned by Council, most of which is reserve land and all of which is zoned Rural General. An area of significant indigenous vegetation is located within it. While I have previously expressed the opinion that this Rural General land was too modified, and of a different geomorphological formation, to be a part of the surrounding ONL, I have now altered my opinion. The recent regeneration evident within the wetland portion of this area is significant and the consequent level of natural character very high. I now consider that the ONL boundary should follow the zone boundary with the exception of the Council car park at the corner of Gorge Road and Industrial Place which should be excluded.

The putative ONL line follows the foot of the Queenstown Hill escarpment down the eastern side of the gorge which is entirely logical and appropriate. The quality of the western escarpment of Queenstown Hill is notable. The soaring cliffs are quite spectacular. However, the faces of the cliffs are being invaded by conifers and hawthorn which reduce the quality of the feature. The demarcation between the valley floor and the hillside remains very distinct.

On Queenstown Hill it has been argued that some parts of the Rural General zoned land are ONL and some are not. In my opinion these arguments are somewhat misguided. In fact the main difference between those often considered ONL (usually the higher portions) and those not is that the latter are areas where the weeds have been controlled or removed, and the former are not. In my opinion, Queenstown Hill is an ONL and arguably an ONF and the landscape line delineating this should follow the boundary of the Rural General and other zones.

Currently the putative landscape line determining the boundary of the ONL of Queenstown Hill and the residential development above Frankton Road runs along the edge of the Low Density Residential zone. These contiguous boundaries head up the hill side approximately a third of the way along the Frankton Arm from the town centre and run at a higher elevation from then on extending up into a major gully on the mountainside before descending again right to the Frankton Road. This configuration appears to reflect the underlying topography; the areas zoned Low Density Residential being less steep than the Rural General land above. In this sense, therefore, the boundary would appear, in my opinion, to be appropriate.



### 3.4 Ferry Hill / Shotover

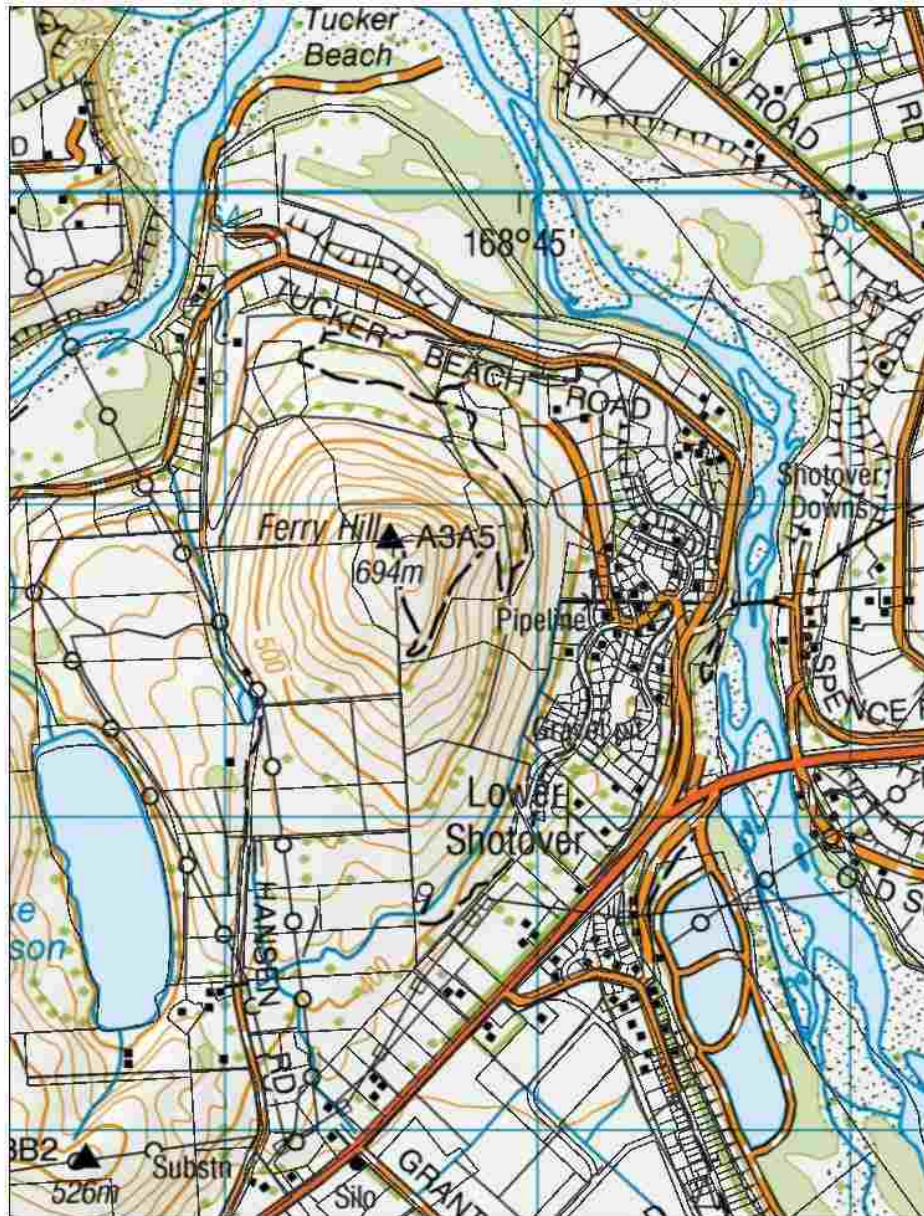


Fig 15: Map of the Ferry Hill and Shotover River

The putative landscape line dividing the Low Density Residential zones above Frankton Road from the ONL of Queenstown Hill descends to the State Highway just to the west of Frankton and then extends along the foot of the slope behind the Terrace Junction development adjacent to the zone boundary. To the east of the intersection with Hansens Road the line begins to delineate the extent of the ONL within Rural General zoned land on the Frankton Flats. The Frankton Flats are a part of an outwash fan of the Shotover River which was formed when the lake level was higher than currently. From a geomorphological perspective this outwash fan has been deposited up to the flanks of the roche moutonnee land forms of Ferry Hill, K Number 2 and Queenstown Hill. From a visual perspective the intersection between the outwash fan and these schist hills is very clear. The putative landscape line distinguishing the landscape of the flats from the Outstanding Natural Landscape of the hills



runs along the intersection of these land forms for most of its extent across the Frankton Flats and I consider that this is appropriate.

The situation gets a bit more complicated at the northern corner of the Frankton Flats. Here the outwash material intersects with moraine and other terrace alluvium which predates the Flats landscape. These deposits form a hummocky terrace elevated some twenty metres higher than the surface of the Flats. The intersection of this material with the roche moutonnee landform of Ferry Hill is not quite so distinct. However, it is still discernable and, in my opinion, the transition between the landscape of the lower land forms and the Outstanding Natural Landscape is the point at which the boundary should be located. This crosses some of the land within the Quail Rise Special zone but where this crosses residential lots it is, in the main, contiguous with the boundary of the area designated G Activity Zone within that zone's structure plan.

A portion of the ONL line around Queenstown Hill was determined by the Environment Court in its C109/2000 decision. This line is associated with a row of poplars which is evident across the slope. This line is considerably more elevated than the change in topography identified as the appropriate boundary between the landscape categories above. Ms H Mellsop undertook an assessment of the appropriate location of the line in relation to a resource consent application within Quail Rise (RM090658). Her assessment stated:

*The precise boundary between this feature and the adjacent visual amenity landscape of the outwash terrace has not been determined. However in the vicinity of the application site I consider the boundary would be located at the change in gradient between the moderate upper slopes of the terrace and the steep face of Ferry Hill. This change in gradient runs through the western part of residential properties south of the subject site on Abbottswood and Coleshill Lanes, below a small Douglas fir plantation, behind the building platform on proposed Lot 2 and below the group of immature poplars on proposed Lot 1 (see Attachment A and Photographs 1 and 2 below). This line is supported by the underlying zoning, which shows the boundary of the Residential 2 Activity Area running through the lower parts of the properties south of the subject site, with retention of all land above this line as open space.*

I agree with this assessment and have adopted it. It is illustrated in Appendix 3 Map 3.

To the north of Ferry Hill the putative landscape line follows the same contour as the confirmed line until approximately the vicinity of the Rural Residential zoned land in Hansens Road. Here it follows, firstly the top of the steep escarpment behind the residential zone, and then the bottom of the mountainside around an area of remnant river terrace before dropping to the Shotover which it crosses to the river's true left bank. The lower portions of the mountainsides and the remnant terrace area are the most domesticated although indigenous vegetation is evident in the stream gullies which cut the slope. I consequently consider that this line is appropriately located.

### 3.5 Arthurs Point East



Fig 16: Map of Arthurs Point East

Landscape lines in relation to Arthurs Point were determined by the Environment Court in their C3/2002 decision. This decision primarily related to the location of that line in relation to the Arthurs Point basin located to the north east of Arthurs Point itself. The decision placed the boundary between ONL and the VAL along the ridge known as the „Tremain Boundary“; had it cross over North Ridge and then follow that ridgeline, more or less, in a south westerly direction until it reached the Shotover River. Subsequent to the hearing of C3/2002 a memorandum was sent to the Court raising the point that the „landscape lines“ as determined appeared to include the Arthurs Point Low Density Residential Zone and the Arthurs Point Rural Visitors Zone within the Outstanding Natural Landscape (Wakatipu Basin). In response to this the court drew a discontinuous line on the planning map „for the avoidance of doubt“ which they stated was to mark „the inside line of the ONL as we find it to be“<sup>17</sup>.

Far from removing doubt this line is highly problematic. It is difficult to understand why such a line should have been contemplated as the landscape categories do not apply to land zoned Low Density Residential and may be applied within the Rural Visitor zone only in the assessment of non-complying activities<sup>18</sup>. It appears that the line was intended to be read in conjunction with the planning maps and that its aim was to cleave off a corner of the Rural General zoned land adjacent to the Rural Visitor zone. As this area cannot be described as a landscape in its own right it then appears necessary to consider it as ORL. However, the land in question, while located on the edge of the Rural General zone, is not distinct from the rest of the zone around it in terms of its geomorphology, its vegetative cover or its land use save

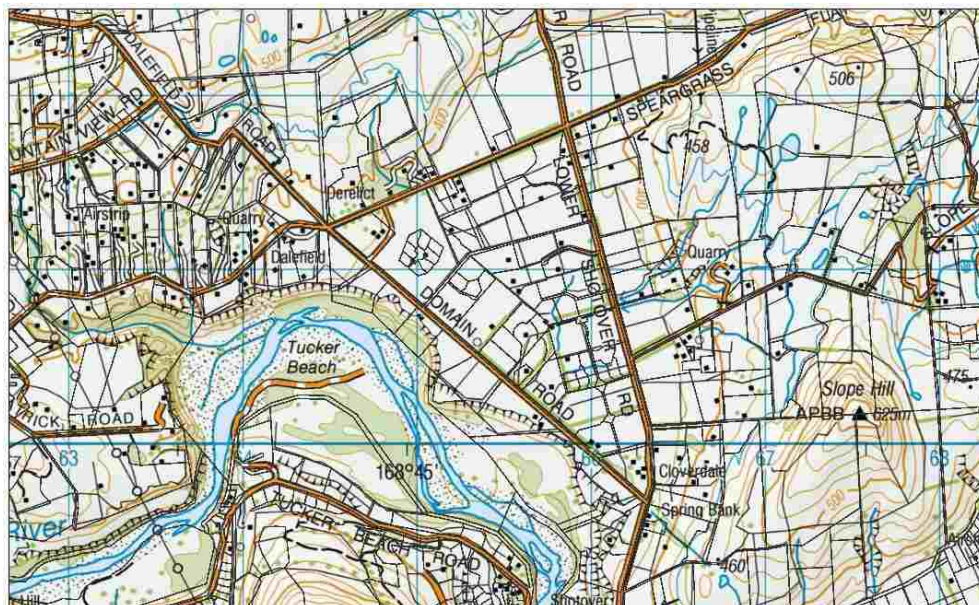
<sup>17</sup> C3/2002, para 40, P20.

<sup>18</sup> J E McDonald, Solicitor, for Macalister Todd Phillips. Letter dated 12 February 2007.

that it is the location of a number of dwellings. I do not consider that the presence of these dwellings, while reducing the naturalness of the landscape in the vicinity, have sufficient impact on the quality of the broader landscape to alter its classification from ONL to ORL.

Further, it is the case that the Arthurs Point Low Density Residential and Rural Visitor zones are in fact located entirely within an outstanding natural landscape. This is what provides the settlement with its character and amenity. It is also clear that the landscape related assessment matters only apply to discretionary activities within the Rural General zone. Consequently there is no impediment to development within the Low Density Residential zone at Arthurs Point created by its imbeddedness within the outstanding natural landscape. Further still, it would seem entirely appropriate that the Objectives and Policies of Section 4.2.5 should apply to non-complying activities within the Rural Visitor zone as the District Wide Objectives and Policies form the baseline for all development within the District. Consequently it is my opinion that this discontinuous line should be removed from the Appendix 8A maps.

### 3.6 Hawthorn Triangle



**Fig 17:** Map of the „Triangle“

The Environment Court ruled in its C83/204 decision that the „Triangle“ as it is known locally, and land along its western margin, was correctly classified as an Other Rural Landscape in the terms of the QLDC District Plan. It is the case that the Court did not definitively determine the boundaries of the area. They did, however, provide indicative boundaries following Lower Shotover Road to the north, Speargrass Flat Road to the west and then along the top of the Shotover River terrace to the south east to close the triangle. The „Triangle“ itself (as opposed to the ORL) is surrounded by a hawthorn hedge which is almost continuous, but for a portion of the Domain Road side, and a significant Lombardy poplar avenue along the Speargrass

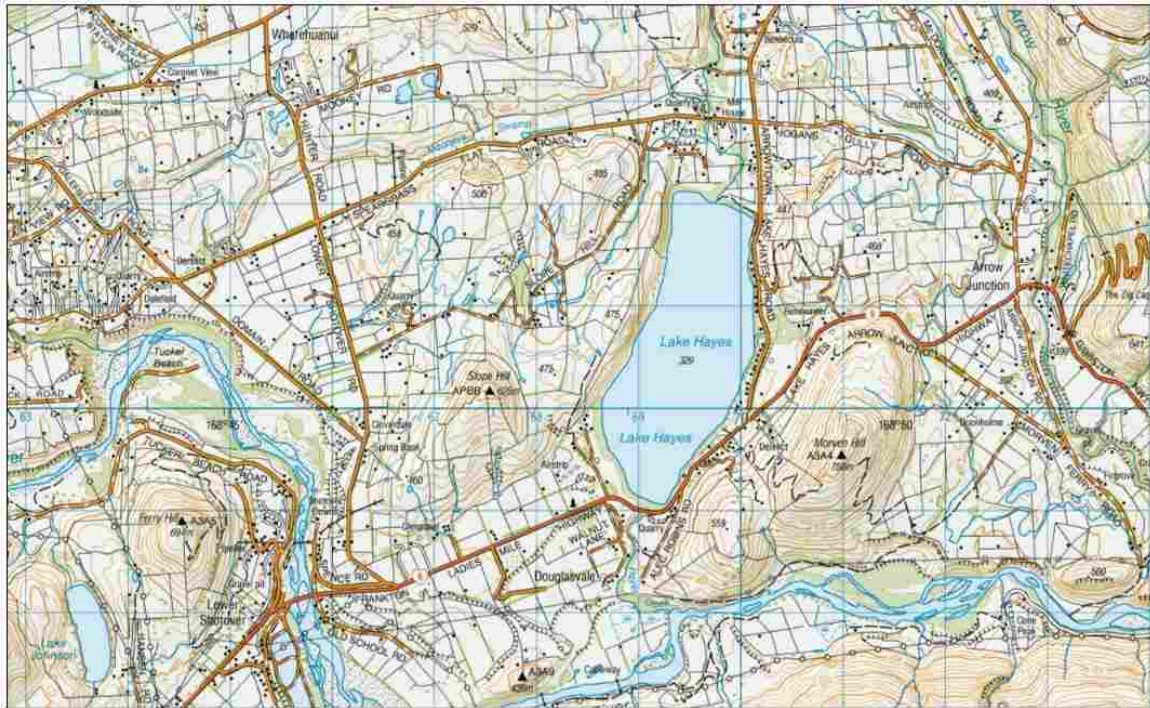
Flat Road boundary. These are both protected features under the District Plan. This hedge results in a high degree of containment of the land within, and it and the poplar avenue provide a significant contribution to the character of the landscape in the vicinity.

The land on which the „Triangle“ is located is a part of the same outwash material which has formed this area, the Frankton Flats and the Ladies Mile terrace. This larger landform was the outwash fan of the Shotover River created when the Lake level was some 60m higher and its outlet was located at what is now Kingston. It is striking for its flatness (although there is a small hillock located in the western portion of the area contained by the hawthorn hedge) and for the contrast which this provides to the surrounding hills and mountains. This landform extends beyond the putative boundaries in a bulge to the north which extends some 790m to the south west from the intersection of Speargrass Flat and Lower Shotover Roads; some 1.1km north east along Speargrass Flat Road from that intersection and approximately 400m north to the foot of Malaghans Ridge. In addition a small area of land to the south east of the Speargrass Flat / Lower Shotover Road / Hunter Road intersection is a part of this landform.

The area which is delineated as ORL is not, in my opinion, a landscape, nor even a landscape unit. Neither is it a remnant of Rural General Zoned land which has become isolated from its landscape by zoning. In my opinion these boundaries simply delineate an area in which subdivision has been permitted to a level of intensity which approximates that of the Rural Lifestyle zone standards but without the appropriate change in zoning. It is also my opinion that this level of development not only threatens the quality of the landscape of the Wakatipu Basin but also threatens the integrity of the Rural General zone itself. I consider that the rezoning of this area, probably to Rural Lifestyle or possibly creating a special zone, should be undertaken with urgency.



### 3.7 Lake Hayes / Slope Hill



**Fig 18:** Map of Lake Hayes & Slope Hill

The C180/99 determined that Lake Hayes and Slope Hill should, together, be classified as an outstanding natural feature. To this end the Appendix 8A maps in the District Plan show the boundary of the ONF as a dotted line with a short section of solid line in the south western corner of the area. The location of this portion of line was determined by the Environment Court in relation to a reference in its C216/2001 decision and it follows, first, a hawthorn hedge and then a water race which traverses the slope of the hill.

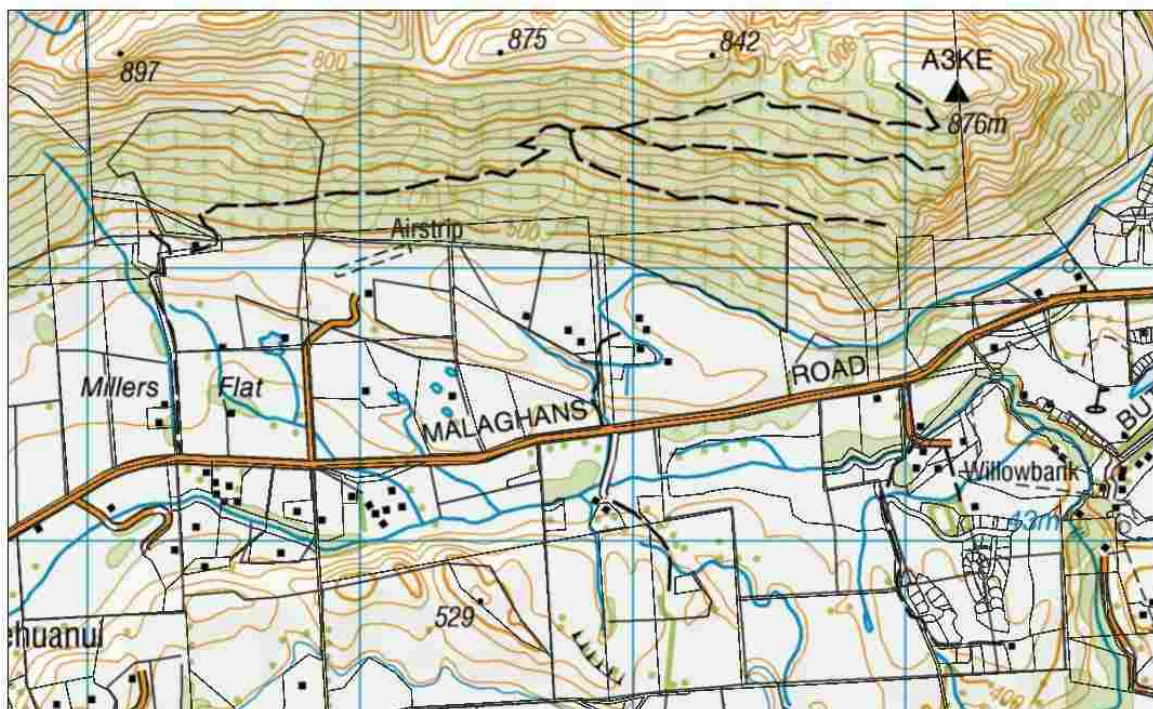
The putative landscape line delineating Slope Hill starts close to the margin of Lake Hayes and follows the foot of the escarpment along the north western edge of the Ladies Mile flats. This is an appropriate location for such a line. At its southern most extent this line appears to include a number of residential dwellings and their associated curtilage area and amenity planting within the ONF. These are well established dwellings which are not readily noticeable from public locations and which are set amongst well established amenity trees which, while exotic, do contribute to the natural character of the vicinity. This line then joins the line established by the Court at the hawthorn hedge.

The putative landscape line continues along the water race but then descends the hill, running due north, until Slope Hill Road itself is met at which point it turns to the north east and follows the road boundary. I do not consider that this location is appropriate. The water race does provide a clear boundary between the more developed lower slopes of the hill and the more open elevated slopes for much of its length. However, I consider that it should diverge from the water race in the vicinity of Lot 1 DP 303124, rising up the hill to exclude the dwelling on

that lot from the ONF. It should then swing to the north east south of the dwelling on Lot 1 DP 27507 and to the north of the building platform on the adjacent Lot 4 DP 27454<sup>19</sup>. Past this lot it should swing to the south east so as to pass to the south of the basin which encloses the Threepwood subdivision before swinging, again, to the north to include the western escarpment above Lake Hayes within the ONF.

Lake Hayes is considered to be an outstanding natural feature. Its margins are included, presumably because, firstly they are zoned Rural General and thus require landscape categorisation and secondly because under Section 6(a) of the RMA Council is required to protect its natural character. I consider that the boundaries of the ONF of Lake Hayes should follow the boundary of the reserve land and marginal strips around its margin. The land within this strip is modified to varying degrees around the lake but the removal of willows and the re-establishment of indigenous riparian vegetation which is occurring in locations around the lake are increasing the natural character and quality of the lake margins. This is illustrated in Appendix 3 Map 4.

### 3.8 Arrowtown / Coronet Range



**Fig 19:** Map of the north east corner of Wakatipu Basin

A discrepancy appears to exist between the putative landscape line which has been included in the District Plan Appendix 8A maps and the line actually proposed by the Environment Court in its C180/99 decision in the vicinity of the eastern portion of Malaghans valley. In its decision the Court located the line along the northern side of Malaghans Road so as to include

<sup>19</sup> It is noted that when consent was granted for this building platform the commissioner considered the location to be within the ONF but said, "the site is either at the extreme "lower end" of the ONF classification or the "upper end" of the VAL classification".

the dissected terrace landscape at the foot of the Coronet Peak / Brow Peak ridge within the ONL(WB). I understand that the original line followed Malaghans Road all the way along the valley in that original decision but have been unable to locate the original appendix to the decision to check this.

The C3/2002 decision of the Court moved the landscape line from the northern side of Malaghans Road to the foot of the mountainside along the western half of Malaghans valley. This line ends approximately north west of the intersection between Malaghans Road and Hunter Road. It is my opinion that the location of the line to the east of this on the Appendix 8A maps is actually appropriate (even though its justification remains obscure). The location of this western portion of the landscape line was the subject of debate between landscape witnesses within the recent Spruce Grove appeal case, however, the Court did not make a ruling on the boundary issue. It is my opinion that Council's witness, Ms Mellsop, was correct in the location of the line in this vicinity as provided in her rebuttal evidence. She notes that the line which she has drawn is located where the distinct change in both topography and vegetation cover occurs. To the east of the Middlerigg Lane intersection with Malaghans Road this follows the Arrow Irrigation water race around to the east above Butel Park. To the west its location dips below the race but returns to it briefly before following the transition slope below the Council's plantation forest. I have incorporated this line into the illustration in Appendix 3 Map 5.

#### 4.1 RECOMMENDATIONS

1. That the lines demarcating the areas of landscape classification appended to this report be adopted as preliminary only in order that they, and the justifications for their locations, may be peer reviewed prior to their use in any public consultation.
2. That new policies and objectives be drafted to support the creation of a Visual Amenity Landscape classification specifically to protect the significant characteristics and qualities of the landscape of the Upper Clutha Basin recognising that these and the subsequent issues which arise in that area are different to those of the Wakatipu Basin.
3. That new objectives, policies and rules be drafted to support the character of Frankton arm creating either a new zone or a zone overlay to enable the effective management of the arm and its margins as a scenic and recreational resource. This should be supplemented with new rules to bolster the level of protection afforded the natural character of the rest of the lake surface and its margins. (It may be appropriate to apply such a zone or zone overlay to areas of the lake adjacent to Kingston and Glenorchy also).
4. That the area currently identified as Other Rural Landscape in the vicinity of the Hawthorn Triangle should be rezoned as an extension of the Dalefield Rural Lifestyle Zone. Ideally this should be supplemented with a bolstering of the rules pertaining to the subdivision of Rural General zoned land to discourage subdivision within that zone and encourage it within the zones designed for that purpose.
5. That new rules be drafted to ensure that in instances when an Other Rural Landscape designation is the only alternative for a piece of remnant landscape, as opposed to an appropriate assessment of a landscape's quality, that the assessment of the effects of proposed development on the adjacent landscape quality is increased.



## **Appendix B**

*Report to Queenstown Lakes District Council on appropriate landscape classification boundaries  
within the District, with particular reference to Outstanding Natural Landscapes and Features  
(1 April 2014)*



**Report to Queenstown Lakes District Council on  
appropriate landscape classification  
boundaries within the District, with particular  
reference to Outstanding Natural Landscapes  
and Features**

**Marion Read  
Principal  
Read Landscapes  
1<sup>st</sup> April 2014**

## 1.0 Introduction

- 1.1 This report was originally commissioned by Council's policy team in 2011 as a part of the review of the District's rural zones. Its goal, then, was to determine the appropriate locations of the lines separating the landscape categories defined in the District Plan (henceforth referred to as 'landscape lines'). These landscape categories are Outstanding Natural Landscape or Feature (ONL or ONF), which are those landscapes the protection of which is required by the Section 6(b) of the Resource Management Act 1991 (RMA91); Visual Amenity Landscapes (VAL), which are considered to be landscapes protected by Section 7(c) of the RMA91; and Other Rural Landscapes (ORL) for which there is no particular requirement for protection or management under the Resource Management Act. From an administrative perspective, the outstanding natural landscapes within the District have been further divided, in the main on the basis of the perceived development pressure relating to them, into those of the Wakatipu Basin (ONL(WB)) and those of the rest of the district known as the Outstanding Natural Landscapes, District Wide (ONL(DW)).
- 1.2 In the intervening years the RMA91 has undergone further scrutiny resulting in amendments in 2013 and the publication of the 'Resource Management Summary of Reform Proposals' by the Ministry for the Environment, also in 2013. This document indicates the intention, by the current government, to further amend the RMA91 and these proposed amendments include the requirement that Councils 'specify in relevant plans and/or policy statements the outstanding natural features and landscapes in their community, and protect these'<sup>1</sup>. It is considered that this report should contribute to this process. The original report extended beyond this brief in a number of areas. These discussions have been retained and updated, where necessary, also, as it is considered that they contribute usefully to the pool of information available for application to the ongoing review of the rural zones.
- 1.3 The issue of determining the District's outstanding natural landscapes and features was first addressed authoritatively in the Environment Court's C180/99 decision. Putative lines were established in that decision separating the Outstanding Natural Landscape (Wakatipu Basin) from the Outstanding Natural Landscape (District Wide) and from the Visual Amenity Landscape of the Wakatipu Basin floor. This decision was based on the evidence of landscape witnesses, and I understand the evidence of Mr Ralf Kruger, who appeared for the Wakatipu Environmental Society in that hearing, was particularly influential<sup>2</sup>. These lines as drawn by the Court were incorporated into Appendix 8 of the District Plan indicated as dotted lines. No such process was ever completed within the Upper Clutha Basin, although a map was compiled in 2001 with input from QLDC, the Upper Clutha Environmental Society and the Wanaka Landcare Group. A number of portions of these lines in the Wakatipu Basin have

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<sup>1</sup> Ministry for the Environment; Resource Management Summary of Reform Proposals 2013;P12

<sup>2</sup> Ralf Kruger, pers comm, 2010

been confirmed by the Environment Court as a part of various appeals, both of the Plan provisions and of resource consent applications and these have been entered on the Appendix 8 maps as solid lines. Some solid lines and features have been confirmed in the Upper Clutha Basin. This has not succeeded in removing levels of contention regarding the location of some of these lines, or the appropriate landscape classifications for some areas of the District. Further confusing the issue is that, from a legal standpoint the landscape classification of a site is a matter of fact and thus any given determination applies to that specific site or location at that specific time only. (This is one of the issues which the proposed RMA amendments seek to address). Consequently it may be appropriate to reconsider the location of some of these lines in the light of current conditions and with regard to the consideration which was given to their location in the first instance.

## **2.0 Methods**

2.1 This is not a landscape assessment of the District from first principles. In determining the appropriate location of the landscape lines an underlying assumption has been made that, in a general sense, the ONLs and ONFs that have been previously identified have been identified appropriately. Consequently the process has entailed identifying the boundaries of areas which have been previously identified, and identifying other similar areas. In addition a number of sources have been drawn upon.

2.1.1 Firstly, the characteristics of the three landscape categories have been defined in Section 4 of the District Plan. They are:

*The outstanding natural landscapes are the romantic landscapes – the mountains and the lakes – landscapes to which Section 6 of the Act applies.*

*The visual amenity landscapes are the landscapes to which particular regard is to be had under Section 7 of the Act. They are landscapes which wear a cloak of human activity much more obviously - pastoral (in the poetic and picturesque sense rather than the functional sense) or Arcadian landscapes with more houses and trees, greener (introduced) grasses and tend to be on the District's downlands, flats and terraces. The extra quality that these landscapes possess which bring them into the category of 'visual amenity landscape' is their prominence because they are:*

- adjacent to outstanding natural features or landscapes; or*
- landscapes which include ridges, hills, downlands or terraces; or*
- a combination of the above*

*The other rural landscapes are those landscapes with lesser landscape values (but not necessarily insignificant ones) which do not qualify as outstanding natural landscapes or visual amenity landscapes.<sup>3</sup>*

These definitions are not without problems. It is the case that the definition of Visual Amenity Landscape was developed with reference only to the Wakatipu Basin landscape. This definition is of limited relevance to the Upper Clutha Basin, for example, as that landscape has quite a different character, but not necessarily a lesser value, than that of the Wakatipu Basin. These definitions do, however, form the basis on which this analysis has been undertaken and on the analyses of other works which have been called upon to inform this work.

- 2.1.2 Secondly, the process has generally entailed a process of matching like with like. Most, but not all, of the lines to be determined have been partially drawn, or features have been identified in the text of the Plan. Thus an analysis of the characteristics of the landscape on either side of the already determined line or described feature provides the necessary information to extend those lines. This updated report is also informed by the 'Guidelines for Landscape and Visual Assessment'<sup>4</sup> recently published by the Landscape Institute of Great Britain in conjunction with the Institute of Environmental Management and Assessment. While not officially adopted as guidelines by the New Zealand Institute of Landscape Architects it has been recently promoted by the Institute and is comprehensive and systematic in its approach. In its terms the approach of this report is to identify broad scope landscape character areas which have equivalent value to others already identified.
- 2.1.3 Thirdly, the District Plan provides a process which it is expected will be brought to bear in every landscape assessment and which is intended as a means of undertaking the evaluation of landscapes in term of the requirements of the RMA91. This process is located at Section 5.4.2.1 of the District Plan and is known as the 'modified Pigeon Bay criteria'. It is worth noting that while these are widely referred to as such, they are not actually criteria at all. A criterion is defined by the Oxford Compact English Dictionary as 'a principle or standard that a thing is judged by'. The modified criteria are not principles or standards but aspects of landscape. As such they should, arguably, be attended to in any assessment but they do not provide, explicitly, a means by which to assess the quality or importance of one particular landscape over another. While various alternative frameworks exist (such as that within the 'Landscape Character Assessment: Guidance for England and Scotland'<sup>5</sup>) they all have similar foundations and similarly lack definitive criteria. Alternatively, importance is placed on ensuring that cogent and transparent arguments are used to support evaluations and that these should reference public consultation and the use of

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<sup>3</sup> Queenstown Lakes District Plan S4.2.4, Pp4-8 – 4-9

<sup>4</sup> Landscape Institute and Institute of Environmental Management and Assessment; (2013); Guidelines for Landscape and Visual Impact Assessment; Routledge: London.

<sup>5</sup> Scottish National Heritage & The Countryside Agency; (2002); Landscape Character Assessment: Guidance for England and Scotland; <http://publications.naturalengland.org.uk/publication/2671754?category=31019>

works in the public sphere such as art and literature.

- 2.1.4 In addition pre-existing reports on policy issues and those relating to resource consent applications and proposed plan changes have been considered. Consequently some of the material in this report is either a direct or close repeat of work found in other reports, in particular the Lakes Environmental report to QLDC on the town boundaries of Wanaka and Queenstown.<sup>6</sup>
- 2.2 It has been considered important to ensure a consistent approach is taken both in spatial terms and through time. The input of others remains important and it is recommended that this report should be peer reviewed by landscape architects within the District prior to being included within any consultation documents. This is particularly the case with the Upper Clutha basin where few boundaries have been confirmed. I consider that the further input to this process which could be gained in this manner would be invaluable and likely to reduce any future challenges to the location of the lines.
- 2.3 The conclusions of the assessments have been illustrated on the maps which have been scanned and compiled by Council's GIS staff. These maps are attached and labelled 'Landscape categorisation: Wakatipu' and 'Landscape categorisation: Wanaka'. The original maps were printed at a scale of around 1:15 000. The lines were drawn on these maps using a felt pen and the width of the resultant line is 1.5mm which, at the scale of 1:15 000 is equivalent to a line of 22.5m wide. This introduces what could be, in some situations, a significant margin of error. While of little significance in most circumstances, 22.5m could become an issue should it bisect a potential house site, for example.

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<sup>6</sup> Lakes Environmental (2009) Queenstown Town Boundaries Study: Landscape Assessment Report; and Lakes Environmental (2009) Wanaka Town Boundaries Study: Landscape Assessment Report.

### 3.0 WANAKA AND THE UPPER CLUTHA BASIN



**Fig 1:** Map of the Wanaka / Upper Clutha Basin area

#### 3.1 General Issues<sup>7</sup>

- 3.1.1 As noted above, the definition of Visual Amenity Landscape enshrined in the District Plan has been based on the developing landscape of the Wakatipu Basin, and on a picturesque aesthetic. More specifically, the definition of 'Visual Amenity Landscape' allows for the inclusion of both pastoral and arcadian characters as exemplars of the landscape type (note that it states pastoral **or** arcadian). Nowhere does the Plan define these terms and as a consequence they are a constant source of debate and disagreement.
- 3.1.2 The Oxford Compact Dictionary defines 'pastoral' as 'relating to or associated with shepherds or flocks and herds; used for pasture'. This definition implies some sort of agricultural use and it is clear that it applies to much of the landscape of the downlands of the District. It is modified in the definition by the requirement that it be poetic and picturesque rather than functional, however, which implies that it may, or perhaps should be more developed, incorporating more exotic trees and more dwellings than a functionally pastoral landscape.

<sup>7</sup> This section about the meaning of 'arcadian' with regard to landscapes is largely taken from a landscape assessment report written regarding an application for resource consent in the Wakatipu Basin, RM130298



- 3.1.3 The Oxford Compact Dictionary defines 'arcadian' as 'ideally rustic', and 'arcady' as an 'ideal rustic paradise'. This concept of arcady underlies the picturesque aesthetic and found its basis in the works of the early picturesque painters.



**Fig 2:** Jean-Victor Bertin (1767-1842) 'Arcadian Landscape'



**Fig 3:** Thomas Cole (1801-1848) 'Dream of Arcadia'

These two examples are typical of the genre and were painted at the time the picturesque aesthetic was becoming naturalised in the western European psyche. The characteristics which can be identified in these paintings are as follows:

- the landscape of the fore and mid-ground is fine-grained and broken into small, reasonably discrete areas by vegetation and topography;
- there are areas of rugged topography (cliffs, waterfalls);
- the fore and mid-ground landscape contains many large trees;
- the mountainous context of the site is distant and its detail indistinct;
- buildings are always visible and these are often temples;
- there are animals present, usually sheep or goats;
- there is water present which can be a river, lake, pond or the sea;
- there are always people present, usually resting if they are a worker (shepherd or goatherd) or recreating as is the case in both of these paintings.

3.1.4 Arcadian landscapes are finely grained and expansive views across them are generally obstructed by topography, trees or both. They are closely associated with rugged topography which would, in the context of the District, generally mean associated with Outstanding Natural Landscapes or Features. They are reasonably heavily treed landscapes. Buildings are present and visible. There is some pastoral use made of the land, or the potential for a pastoral use but this is not driven by economic necessity. These landscapes are idealised rural landscapes, ones in which people aim to gain what we usually refer to as 'rural amenity' but not to participate in productive rural activity. In conclusion, it is my opinion that it is the areas of the Wakatipu Basin which have been developed for lifestyle purposes (the creation of the idealised rural) rather than the less developed areas that exhibit the arcadian character most clearly.

3.1.5 While the landscape of the Upper Clutha Basin has been formed by similar glacial and fluvial processes to those of the Wakatipu, the Upper Clutha has a different character. It is not, in the main, arcadian, although there are areas close to Wanaka that are beginning to gain some of this character. Rather the landscape of the Upper Clutha Basin is a 'big sky' landscape with a more functional, pastoral character.

3.1.6 Almost anywhere within the wider Upper Clutha basin, except perhaps within the Clutha River corridor, expansive views are available to distant mountain ranges, some in excess of forty five kilometres distant. The soaring river terraces and level outwash plains introduce strong horizontal lines to the landscape. Roche moutonee are common features within the basin, around and within Lake Wanaka, and within the Matukituki Valley providing quite startling topographical variation, particularly where they pierce the outwash plains. The surrounding mountains are high and wild in appearance. The ecology of the Upper Clutha Basin and the lower lying area adjacent to Lakes Wanaka and

Hawea has been significantly modified by pastoral farming, however, significant areas of remnant and regenerating indigenous vegetation are present throughout the Basin and the surrounds of the Lakes. A number of major rivers feed the lake systems including particularly the Makarora, Matukituki, Hunter and Dingleburn, and the delta of the Makarora River is listed in the Geological Society's inventory of important geological sites and landforms<sup>8</sup>. The delta systems of all of these rivers are dynamic, changing according to the behaviour of the rivers. The Upper Clutha Basin is cut by, and much of its topography created by, three major rivers: the Hawea, the Clutha and the Cardrona. The outlet of Lake Wanaka is one of few remaining in the South Island which has not been modified and controlled in some manner, generally relating to the generation of electricity. The Clutha is the largest river, in terms of flow volume, in the country.

- 3.1.7 To an observant eye the glacial and fluvial origins of the landscape of the upper Clutha are readily evident. The glacial forms of the broader valley walls, the very obvious terminal moraines and the large number of roche moutonee show the glacial origins of the area. The soaring river terraces provide equally clear evidence of the force of the rivers in forming the landscape. Evidence of rock falls; the behaviour of the rivers; the changing river deltas and significant outwash fans all demonstrate the dynamic nature of the landscape. Contrasts between the greens of the more manicured areas, and the less manicured in the spring, and the browns of summer and autumn provide transient variation to the landscape as does the presence of snow on the mountains in winter.
- 3.1.8 The Clutha River (Mata-au) is an area of Statutory Acknowledgement for Ngai Tahu. It was a part of a mahika kai trail leading inland from the eastern coast and was also significant for the transportation of greenstone from the west. The river was the boundary between the Ngai Tahu and Kati Mamoe<sup>9</sup>. Settlement of the upper Clutha basin by Europeans began in the 1860s driven by gold mining and pastoralism. Mining sites on the edges of the river are still identifiable by the scouring caused by sluicing and by the location of stone piles; cottage remnants and groves of Lombardy poplars which have often resulted from the construction of 'temporary' yards for stock or horses.
- 3.1.9 While sometimes considered less aesthetically pleasing than the Wakatipu area it is simply less classically picturesque and its aesthetic appeal is its more raw, natural and untamed character. That this landscape is highly valued is indicated by the number of submissions and appeals brought by members of the Wanaka community against development

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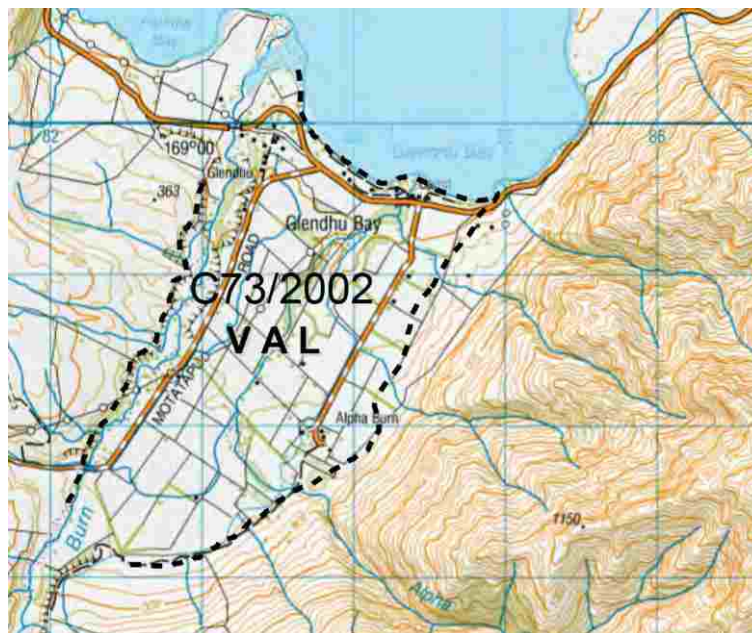
<sup>8</sup> Hayward, B W & Kenny, J A; (1998); Inventory and Maps of Important Geological Sites and Landforms in the Otago Region; Geological Society of New Zealand: Lower Hutt.

<sup>9</sup> <http://www.orc.govt.nz/Documents/Content/Regional%20Policies%20Plans/27.%20Appendix%20%20Ngai%20Tahu%20Claim%20Settlement%20Act%20Statutory%20Acknowledgements.pdf>

proposals which they perceive to present a threat to the landscape's quality and integrity. This landscape has a lesser degree of protection than that of the Wakatipu Basin and this may be justifiable on the basis of a lesser level of residential development pressure. The threats to the Upper Clutha landscape are different and it is my opinion that this needs to be acknowledged so as to manage these wild and expansive landscapes effectively.

- 3.1.10 Also at issue are the potential Outstanding Natural Features of the Upper Clutha. Roys Peninsula was so determined by the Environment Court in its C29/2001 decision. Other features often described as outstanding include Mount Iron, Mount Barker and the Clutha, Hawea and Cardrona Rivers. Mount Iron has been assessed in the Wanaka Town Boundaries report that assessment is reproduced in this report. The Clutha River has been assessed but it is complicated by the presence of the Hydro Generation Special Zone which overlays the river and its lower surrounds. A landscape classification cannot influence consent decisions for activities within this zone. However, I have effectively chosen to ignore it as its purpose is very specific and it bisects the river corridor. I will effectively work around the Upper Clutha Basin in a clockwise direction starting from western Wanaka.

## 3.2 Parkins Bay and Glendhu Bay



**Fig 4:** Map of Parkins Bay and Glendhu Bay taken from Appendix 8B of the District Plan

- 3.2.1 The Environment Court, in its C432/2010 decision, concluded that Parkins Bay and Glendhu Bay are a part of the ONL of western Wanaka. The Court did note that the:

*'ONL around the site is a very complex landscape and that it includes two highly modified areas which are very different from most of the embedding landscape.'*

*These areas are the Fern Burn Flats and the Matukituki River delta. These areas, especially the latter, are pastoral in the English sense'.<sup>10</sup>*

I agree with this conclusion that despite the obvious modifications of the Fern Burn flats and the Matukituki delta, the landscape of the lake and mountains surrounding the area is so dominant that it is them which provide the character and quality of the overarching landscape experience. The dotted lines on the Appendix 8B map should be removed.

### 3.3 Roys Peninsula



**Fig 5:** Roys Peninsula showing ONF boundary of as accepted by the Environment Court. Taken from Appendix 8B of the District Plan

3.3.1 Roys Peninsula was accepted by the Environment Court to be an Outstanding Natural Feature in the C29/2001 case. The landward boundary of this landform has not been determined, however. In my opinion this boundary should be located at the foot of the slope where the roche moutonee rises up from the alluvial fan of the Matukituki River. The flank of Roys Peninsula rises quite steeply from the fan, and the vegetation cover changes almost immediately from improved pasture to rougher grasses and patches of scrub. The location of this boundary is illustrated on Fig 6 below.

<sup>10</sup> C432/2010; Para 81, P 32



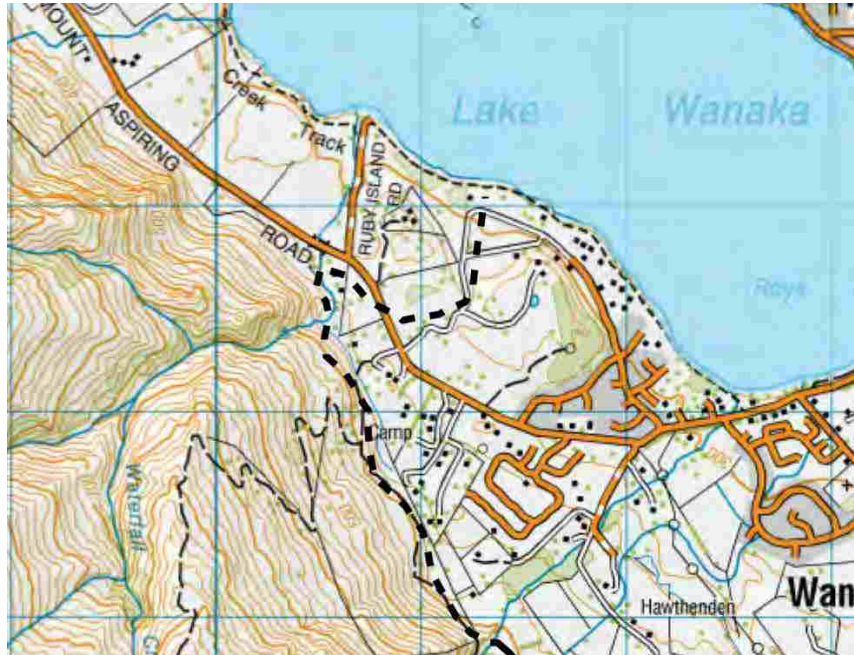


**Fig 6:** Location of the proposed landward boundary of the Roys Peninsula ONF

### **3.4 Waterfall Creek**

- 3.4.1 In its C73/2002 decision the Environment Court confirmed the boundary line between the ONL of Mount Alpha and the VAL of the Upper Clutha basin. To the north of the confirmed line the putative line, illustrated in Fig 7 below, follows the boundary of the Rural Residential and Rural Lifestyle zones until it crosses the Wanaka Mount Aspiring Road where it turns south eastward. From this point it follows firstly the road and then the legal boundary between the Mills property (Rippon Vineyard) and the Blennerhassett property located between the vineyard and Waterfall Creek.





**Fig 7:** Map of Waterfall Creek area showing the putative ONL boundary taken from Appendix 8B of the District Plan.

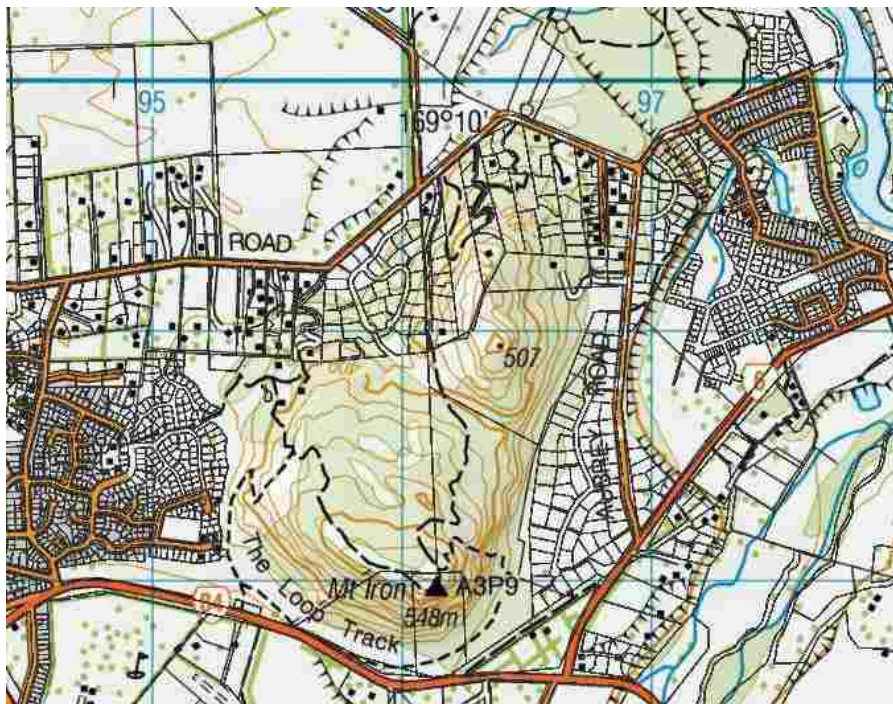
3.4.2 The location of this boundary is problematic. It is my assessment that the landscape of the Blennerhassett property to the east of Ruby Island Road is more similar to that of the Mills property (the Rippon Winery) than that of the landscape immediately to the north west of Waterfall Creek. Ruby Island Road runs in a direct line to the north, approximately following the course of Waterfall Creek. The margins of the creek between the road and the creek itself exhibit a high level of natural character. In my opinion the boundary of the ONL of the lake margin and Mount Roy should follow the western margin of Ruby Island Road. This is not to say that there are not areas of the Blennerhassett property along the lake margin, in particular the Kanuka reserve covered by a QEII National Trust Covenant, which should be classified as ONL but in my opinion it should be considered a part of the ONL of the lake and its margins. This line is illustrated in Fig 8 below.



**Fig 8:** Proposed boundary of the ONL of Mount Alpha and Mount Roy

### 3.5 Mount Iron / Little Mount Iron<sup>11</sup>

3.5.1 In geological terms Mount Iron is an example of a roche moutonee landform. The underlying rock is schist which, owing to its being harder than the surrounding rock, has forced the glacier to ride up and over it. As a consequence the upstream faces to the north west are relatively gently sloping but the downstream faces to the south and east are precipitous and ice plucked. While there are many roche moutonee in this district Mount Iron is described as, 'A particularly good example...' <sup>12</sup> by the Geological Society of New Zealand and its isolation from both other roche moutonee and adjacent mountains makes it highly memorable and readily legible.



**Fig 9:** Mount Iron located between Wanaka to the west and Albert Town to the east.

3.5.2 Mount Iron has two summits, Mount Iron itself which stands at 547masl and Little Mount Iron to the north which stands at 507masl. This means that the main summit rises approximately 220m above most of Wanaka township and its surrounds and as a consequence Mount Iron is a highly notable feature of the context of Wanaka, visible for some distance from the surrounding countryside. While the western slopes have remnants of pasture the predominant vegetation cover is matagouri and coprosma scrub with extensive stands of kanuka extending over the higher slopes from the west to the foot of the eastern faces. The occasional wilding conifer is present, but not in sufficient numbers to be particularly noticeable. The unmodified nature of most of the mountain, particularly its

<sup>11</sup> This section of this report has largely been taken from the earlier report to Council entitled Wanaka Town Boundaries: Landscape Assessment, December 2009

<sup>12</sup> Hayward, BW & Kenny, JA (eds); (1998); Inventory and Maps of Important Geological Sites and Landforms in the Otago Region; Geological Society of New Zealand: Lower Hutt. P 36

eastern faces, gives it moderately high natural character. Subdivision and development for housing has been undertaken on the western and northern slopes. This has compromised the natural character to some extent, although the northern subdivision is nestled into the kanuka, diminishing some of its impact on the greater feature. Patterns of light and shade at differing times of the year play on the mountain, particularly on the eastern faces, and kanuka flowering adds seasonal change. I am not aware of the mountain having any particular significance to Tangata Whenua save that it is called Matukituki<sup>13</sup>, nor am I aware of any particular European historic significance. It is listed in the Geological Society of New Zealand 'Inventory and Maps of Important Geological Sites and Landforms in the Otago Region'<sup>14</sup> as a site of national importance. I also note that the classification of Mount Iron as an Outstanding Natural Feature was accepted by the independent commissioners who heard the recent resource consent application RM130117<sup>15</sup>. In conclusion I consider that Mount Iron is both sufficiently natural in character and outstanding in its quality to be considered to be an outstanding natural feature in the terms of S6(b) of the RMA91 and in the terms of the QLDC District Plan.

- 3.5.3 Determining the line which distinguishes the outstanding natural feature from its surrounding context is not such a simple challenge. Arguably, it should be located at the point at which the roche moutonnée protrudes through the surrounding moraine and alluvial river terrace surfaces, however, development and zoning have already been allowed to spill over this boundary and to significantly compromise the edges of the feature, particularly to the west and the north. For this reason I consider that the boundary should follow the Rural General zone boundary except around its southern flanks. To the south east of the mountain the boundary of the feature, indicated by the change in gradient between the steep cliff faces and the alluvial river terrace moves away from the zone boundary and the feature boundary should be located at this point. To the south west of the mountain the boundary traverses the terrace to enclose the landform.

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<sup>13</sup> <http://www.nzetc.org/tm/scholarly/tei-TayLore-t1-body1-d12.html>

<sup>14</sup> Hayward, BW & Kenny, JA (eds); (1998); Inventory and Maps of Important Geological Sites and Landforms in the Otago Region; Geological Society of New Zealand: Lower Hutt.

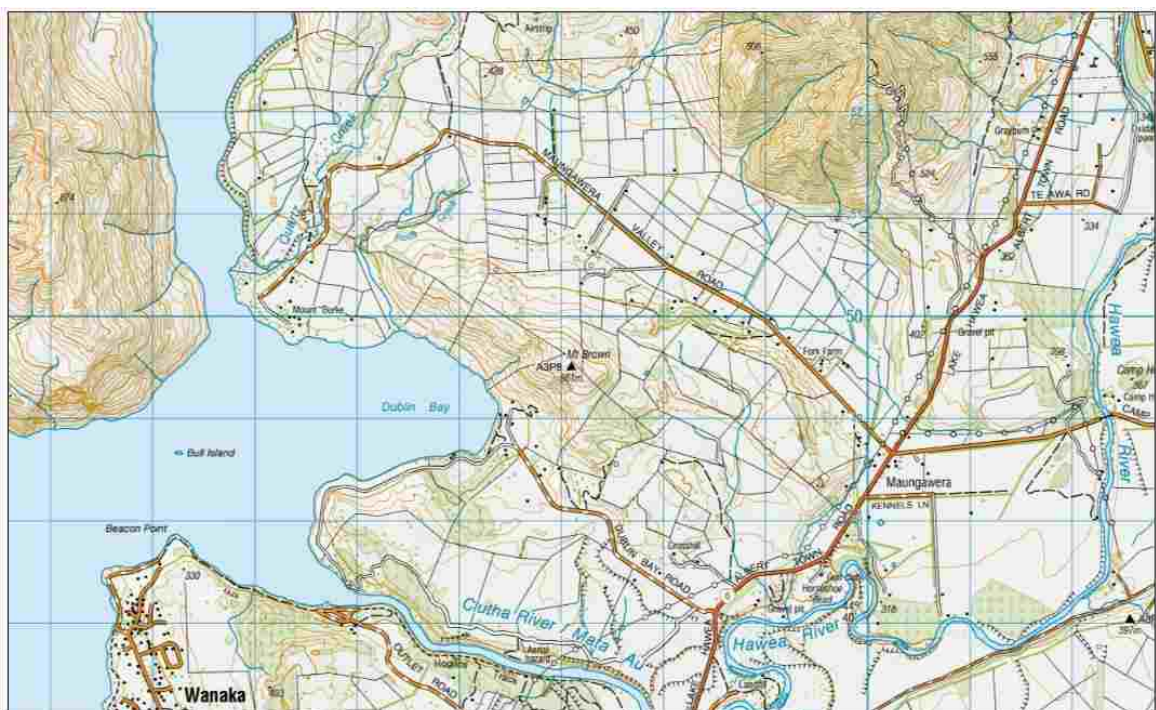
<sup>15</sup> Taylor, DJ & Overton, L, Commissioners; Decision RM130117 issued 30 January 2014.





**Fig 10:** Aerial photograph of Mount Iron showing proposed ONF boundary.

### 3.6 Mount Brown and the Maungawera Valley



**Fig 11:** Map of Mount Brown and the Maungawera Valley

- 3.6.1 In its C114/2007 the Environment Court adopted a line determining the lakeward portion of Mount Brown to be a part of the Outstanding Natural Landscape of Lake Wanaka. This line continues to the south of Dublin Bay and incorporates the northern headland and northern river terraces associated with the Clutha River outlet. The Court did not discuss a location for the north eastern side of Mount Brown. The following is the map of this line taken from Appendix 8 of the District Plan.



**Fig 12:** Appendix 8B map illustrating the VAL/ONL boundary in the vicinity of Dublin Bay and Mount Brown

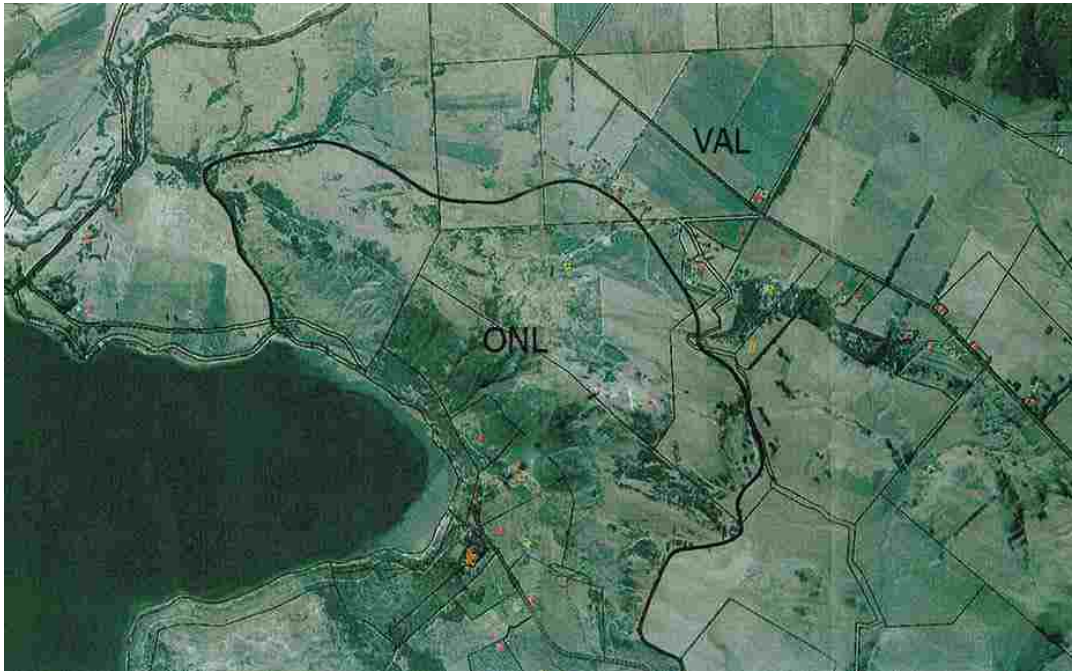
- 3.6.2 In a landscape assessment for a resource consent application in Maungawera Valley Road (RM090775) Mr A Rewcastle made the following comment regarding the landscapes of the vicinity. He said:

*Due to the organic and informal nature of topography and landscape elements, in many parts, landscape characteristics blur the boundary between the ONL associated with the north eastern slopes of Mount Brown and the VAL associated with the flat plains of the Maungawera Valley.<sup>16</sup>*

I agree with this observation. Mr Rewcastle did, however, propose a line delineating these two landscapes and I agree, fundamentally with its location. This line is illustrated in Fig13 below.

<sup>16</sup> Rewcastle, A; RM090775 Landscape Assessment; 12 January 2010





**Fig 13:** Mount Brown ONL boundary

3.6.3 Mr Rewcastle also drafted an indicative line separating the VAL of the Maungawera Valley floor from the ONL of Mount Maude and Mount Burke. While I agree substantially with the location of this line it is my opinion that the terrace complex associated with Quartz Creek is of sufficiently high natural character and aesthetic value, and sufficiently similar to the more elevated areas of ONL (and dissimilar to the surrounding VAL) to warrant its inclusion within the ONL. It is the case, particularly when in the most western reaches of the Maungawera Valley Road in the vicinity of the Mount Burke Station homestead complex that the proximity of the Peninsula to the west, Mount Brown to the south, and Mount Burke and Mount Maude to the north, overpower the degree of modification of the landscape which is evident in the form of grazed pasture, exotic trees, and farm buildings. This is a similar situation to that experienced in the Fern Burn valley in west Wanaka where the outstanding natural landscape surrounding is of such scale and dominance that the level of modification of the surrounding landscape becomes irrelevant.



**Fig 14:** VAL/ONL boundary on the northern side of the Maungawera Valley

### 3.7 Hawea / Upper Clutha Basin

This area is very large and for simplicity I shall break it into a number of smaller units. These are west Hawea / Mount Maude; north eastern Hawea; south eastern Hawea; the Luggate / Tarras Road; and Luggate / Mount Barker.

#### 3.7.1 West Hawea / Mount Maude



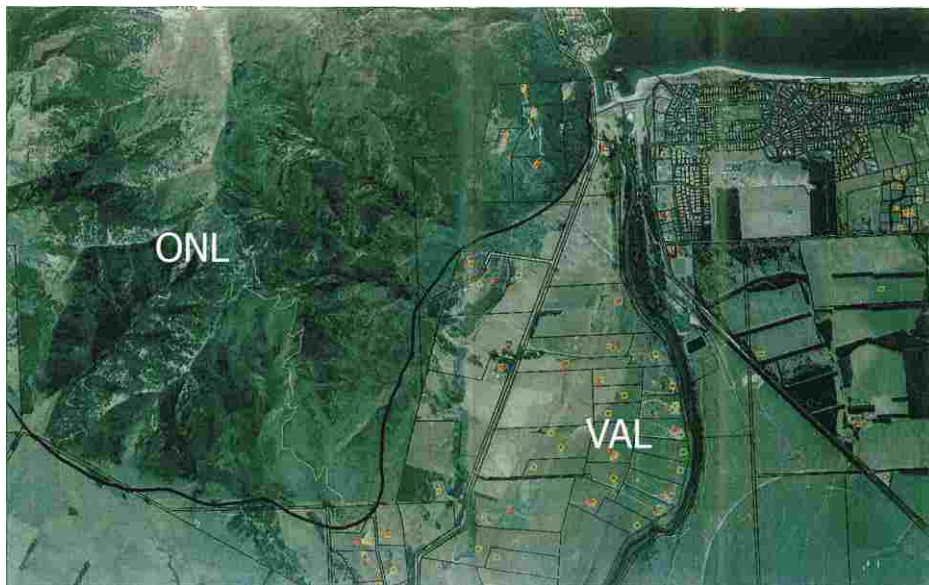
**Fig 15:** Map of West Hawea / Mount Maude

3.7.1.1 The Wilson Farm Partnership case, C158/2005, was an appeal against a QLDC decision to decline consent for a subdivision of some of the elevated land at the southern base of Mount Maude and the northern entrance to the Maungawera Valley. While not directly addressing the

issue of the location of the boundary in the vicinity of the site the Environment Court commented that '...the witnesses in this case were agreed that the ONL extended at least as far south as Lot 6 of the earlier subdivision. It is likely to reach as far as the building platform on that allotment'<sup>17</sup>. The Court further noted that all parties agreed that the site was located within the Visual Amenity Landscape.

3.7.1.2 I agree with this assessment. While the hummocky moraine material situated at the northern foot of Mount Maude is distinct from the floor of the Maungawera Valley it is also distinct from the wilder slopes of that mountain. The vegetative cladding is notable for the extensive planting of exotic trees and it clearly wears the cloak of human occupation more clearly than the higher slopes of the mountain range.

3.7.1.3 A rough terrace at an approximately similar altitude to the spur discussed above continues along the eastern foot of Mount Maude to the north. Having similar geological and geomorphological character to this spur it has been more readily developed and modified and has a similar character to that of the spur. Similarly, this character is more similar to that of the basin floor than of the steeper mountainside above. It is the case that there are a number of stands of exotic conifers scattered along this mountainside but their size and distribution suggest that they are self-seeded in the main and they do not detract significantly from the relatively high natural character of the upper mountain slopes. The line should descend to the margin of SH 47 just to the south of the Lake Hawea outlet and should follow this route until just north of the outlet, noting, of course, that the outlet has been significantly modified in order to raise the level of the lake. This line is illustrated in Fig 16 below.

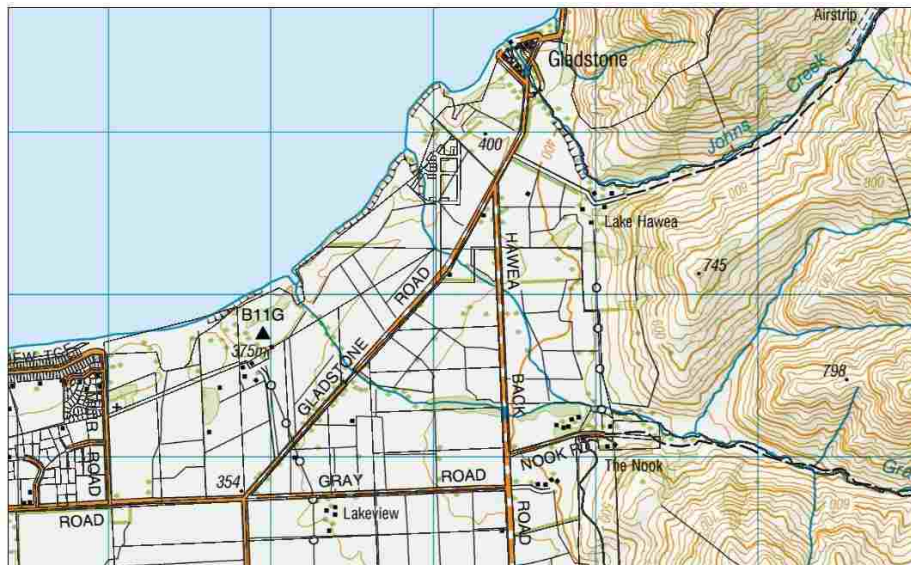


**Fig 16:** ONL/VAL boundary around Mount Maude and north western Hawea

<sup>17</sup> C158/2005 Para 5, P2



### 3.7.2 North eastern Hawea



**Fig 17:** North eastern Hawea

3.7.2.1 While Lake Hawea is an artificially raised hydro lake, it is the case that, water level excepted, it is subject to predominantly natural processes and warrants classification as an Outstanding Natural Landscape. Consequently I consider that the margin of the lake along its southern edge should similarly be considered to be a part of that landscape. While the level of naturalness of this margin is arguable, it nonetheless demonstrates the processes of interaction between water and land and is clearly associated with the lake.

3.7.2.2 Hawea township has been constructed on the western half of the terminal moraine of the last Hawea glaciation. The eastern half is currently devoid of significant development in terms of notable earthworks and buildings (although I note that a consented walkway has been constructed through the moraine system). Most of the terminal moraine of Lake Wakatipu is located outside of the QLDC district. The Lake Wanaka moraine has been overtaken by recent development within Wanaka township. This eastern portion of the Hawea moraine is the last piece of lakeside terminal moraine which retains a reasonably unmodified natural character. It is highly legible and contributes to the viewer's understanding of the formative processes of the district. While its ecology has been modified by agriculture it does have some regenerating indigenous vegetation present. Consequently I consider that the eastern half of the terminal moraine should be included within the Outstanding Natural Landscape of Lake Hawea. This is illustrated on Fig 18 below.



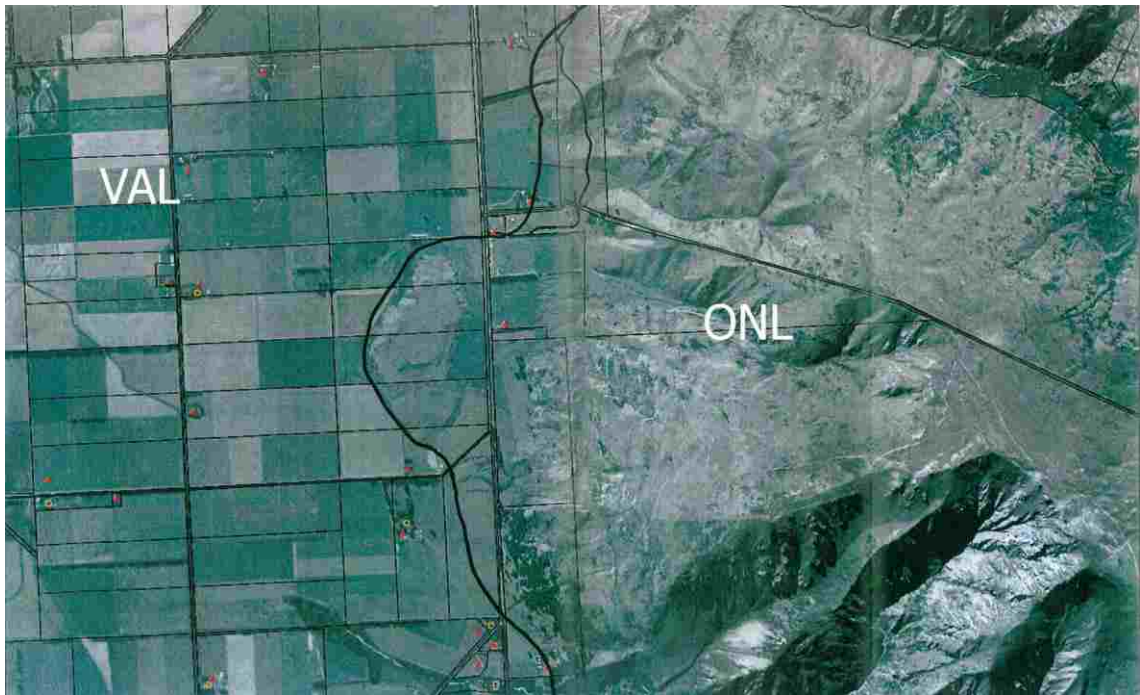
**Fig 18:** ONL/VAL boundary in northeastern Hawea Flat

3.7.2.3 It is the case that the moraine has been modified by outwash material at its eastern most extent. This outwash fan is largely occupied by the settlement of Gladstone which forms the core of a Rural Residential zone. Consequently the line needs to separate this zone from the Lake to its north west. To the south west of Gladstone there is another small village surveyed which is located within a cutting in the moraine probably created by a stream. While there is a network of named roads and there are residential lots identified there is no obvious evidence that this village ever existed, and all of the land is currently zoned Rural General. Thus any development on the lots would be subject to the rules of the Rural General zone and it is arguable that most of these residential sections are not within the area of the moraine anyway. This can be seen on Fig 18 above.

3.7.2.4 From the north eastern corner of the Hawea Flats I consider that the boundary follows the foot of the Breast Peak and Mount Grandview Range. I undertook a detailed assessment of the location of the line separating the VAL of the flats from the ONL of the mountains for a report on a subdivision consent, RM070222 (McCarthy Bros). I continue to consider that this was a rigorous assessment and that the location of the line which I identified was appropriate<sup>18</sup>. This is illustrated in Figs 18, 19, and 20.

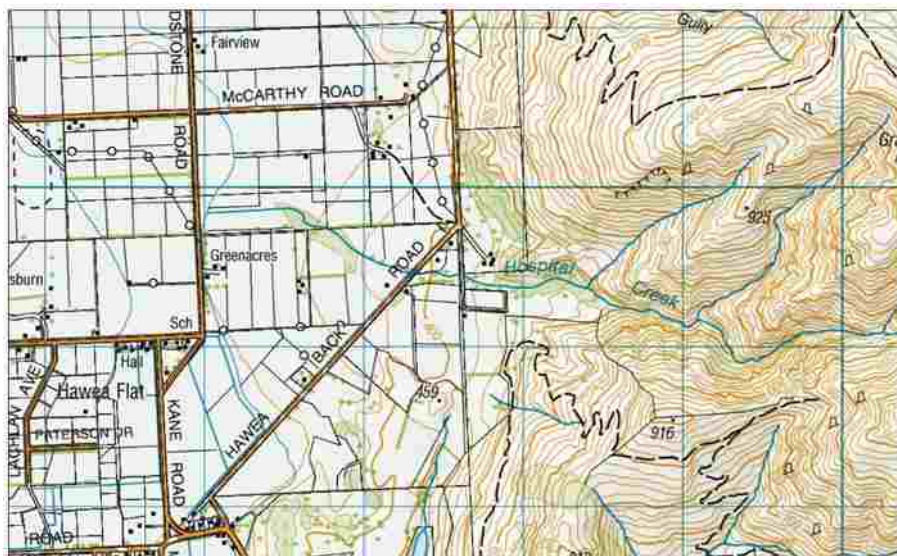
<sup>18</sup> It was the case that the Commissioners hearing the application effectively added my assessment and the applicant's landscape architect's assessment together, resulting in a demarcation between VAL and ONL different to that of either myself or that landscape architect.





**Fig 19:** VAL/ONL boundary along the eastern side of Hawea Flats

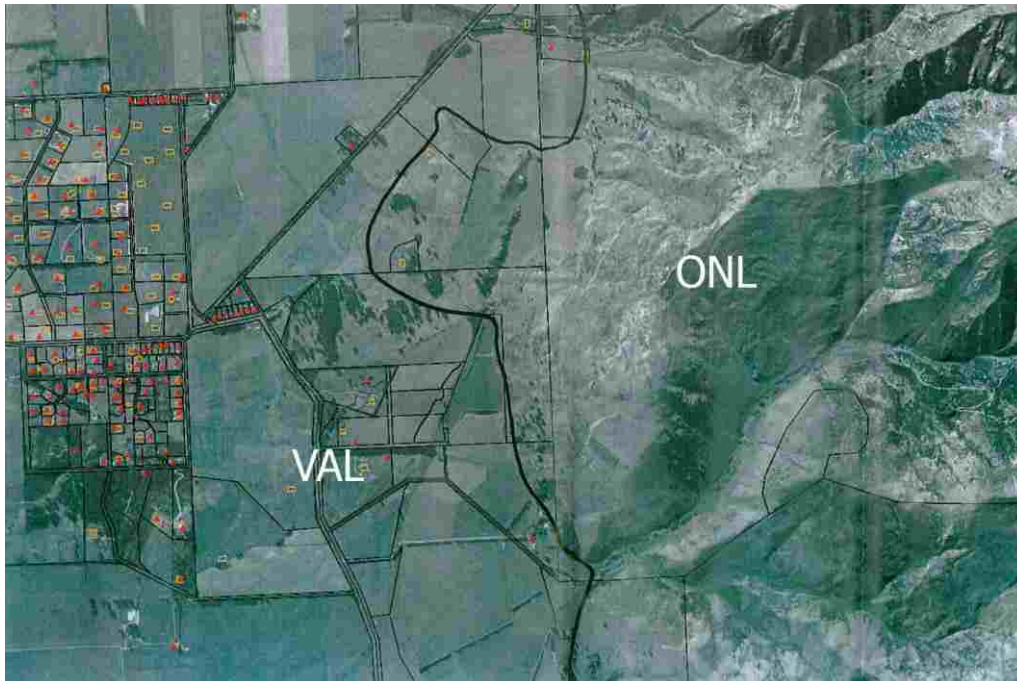
### 3.7.3 South eastern Hawea Flats



**Fig 20:** Map of south eastern Hawea Flats

3.7.3.1 The location of the boundary line between the ONL and VAL at the south eastern corner of the Hawea Flats is difficult to determine because of a lack of clear features. This corner of the flats is the location of the intersection of the terminal moraine from an earlier glaciation, the schistose mountain range of Mount Grandview, and outwash deposits from this mountain range. This area was the location of the outflow of an older, higher Lake Hawea and that the valley which runs along the foot of the mountain range to the south is the paleo-channel of this outflow. The small lakes at the northern end of this valley are entirely artificial. The hummocky and elevated land forms to the east of Kane Road at the

south eastern corner of Hawea Flats are clad with conifers. It is considered that the landscape on the top of the moraine, the moraine and outwash plain, is not a part of an outstanding natural landscape. It is now my opinion that the boundary should follow the top of a shallow spur, the land behind which has been determined previously to be ONL, and then loop over the landform to the east until the Grandview Range proper is met, and from that point it should follow the foot of the Grandview Range south. This line is illustrated in Fig 21 below.



**Fig 21:** The ONL/VAL boundary in the south eastern corner of Hawea Flat

#### 3.7.4 Kane Road / Mount Grandview / Tarras Road

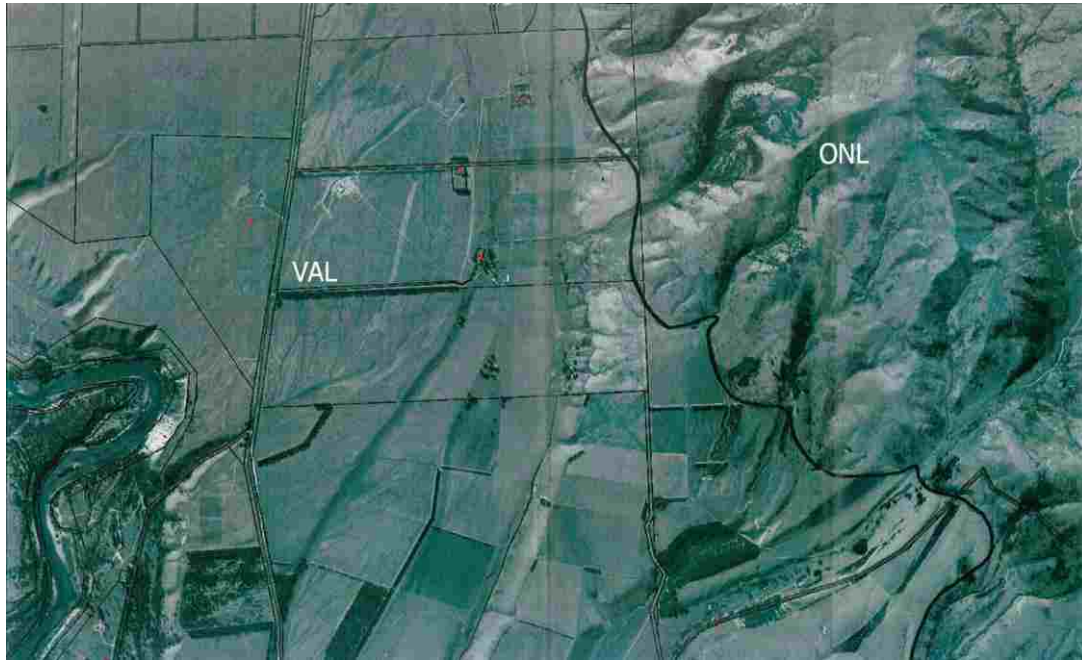
3.7.4.1 That the landscape boundary should be located at the foot of the Grandview Range along the valley floor to the east of Kane Road is probably not readily disputable. In the southern reaches of this area, however, in closer proximity to the Clutha River the landscape, once again, becomes complex. To the east of McKay Road areas of elevated outwash terraces are present at the foot of the mountain and are bisected by the Crook Burn. To the north west of the Crook Burn this forms a long spur jutting out from the lower slopes of the Mount Grandview Range. It is of sufficient size that its upper surface, which is relatively flat, has been cultivated and divided into a number of large paddocks separated in some places by conifer wind breaks. These shelter belts and pivot irrigators are features of these elevated areas. The escarpment faces of this land form, however, are notable for their indigenous vegetation and their strong visual similarity to the more elevated slopes of the mountain range. To the south east of the Crook Burn there is another similar but somewhat smaller spur.





**Fig 22:** The Kane Road / Tarras Road area of elevated outwash terrace deposits.

3.7.4.2 In geomorphological terms the broader landscape in which these spurs occur is predominantly that of outwash terrace deposits. It entails large flat and flattish areas interspersed with steep escarpments and cut with gullies and river terraces. They form, in my opinion, a highly legible landscape in terms of its formative processes. The ecology of the area has been significantly modified by farming practise although the gullies and other areas which have proved difficult to cultivate often show evidence of remnant indigenous vegetation. The predominant vegetative cover, however, is pasture with conifer and poplar windbreaks along paddock boundaries and exotic conifers in occasional forestry blocks. In my opinion this landscape has high memorability. It is a very brown landscape. The terraces form strong horizontal lines across the landscape which are often suddenly truncated in steep escarpments which provide striking contrast. The blue- green of the conifer windbreaks forms another striking contrast to the predominantly brown grasses. The presence of the windbreaks and forestry blocks mean that this landscape does wear a cloak of human activity fairly obviously. In my opinion it is sufficiently distinct from the adjacent mountain land forms that it is distinguishable. This landscape is adjacent to the Outstanding Natural Landscapes of the Grandview Mountains to the east and the Pisa Range to the south. It encompasses downlands and terraces. Consequently I consider that this landscape is correctly categorised as a Visual Amenity Landscape and I have located the landscape line across the tops of these spurs at the base of the mountain slopes.



**Fig 23:** Proposed boundary in the vicinity of the Crook Burn – Mc Kay Road – Tarras Road

### 3.7.5 Luggate to Mount Barker



**Fig 24:** The northern margin of the Pisa Range between Luggate and Mount Barker.

3.7.5.1 This too is a complex landscape. The higher faces of the Pisa range have a high natural character; are memorable and clearly warrant the designation of ONL(DW). Between these slopes and the basin floor expansive terraces exist which are intensively farmed. In my opinion the boundary of this ONL should follow the base of the Pisa Range from the District boundary skirting around behind Luggate along the boundary of the residential zoning and then follow the true right bank of Luggate Creek. It should cross the creek to the south of the knob 'A3KV' to incorporate the bluff system beyond its left bank within the ONL. The line should then follow the southern and western edge of the north facing terrace until the

vicinity of Mount Barker is reached. This incorporates the farmed terraces within the ONL(DW) and is consistent with the Environment Court's decision in the Bald Developments case<sup>19</sup>.



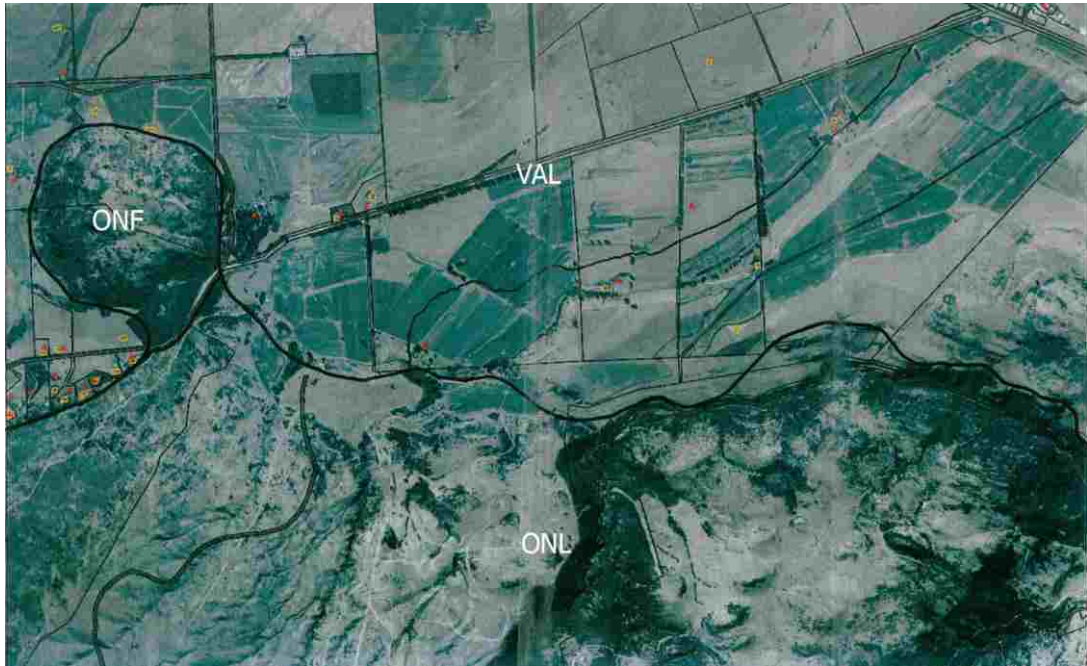
**Fig 25:** Proposed ONL boundary to the South of Luggate

3.7.5.2 Mount Barker has been reasonably consistently assessed as an outstanding natural feature in consent applications in its vicinity. It is a classic roche moutonee and although colonised by conifers and other exotic weeds is a distinctive and readily legible landform visible from much of the upper Clutha Basin. I consider that the ONF of Mount Barker and the ONL of the Pisa Range are contiguous. The line should then continue along the slope and follow the boundary of the Rural Lifestyle zone until reaching the putative line at the mouth of the Cardrona Valley.

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<sup>19</sup> C7/2009





**Fig 26:** Proposed boundary between Luggate and Mount Barker

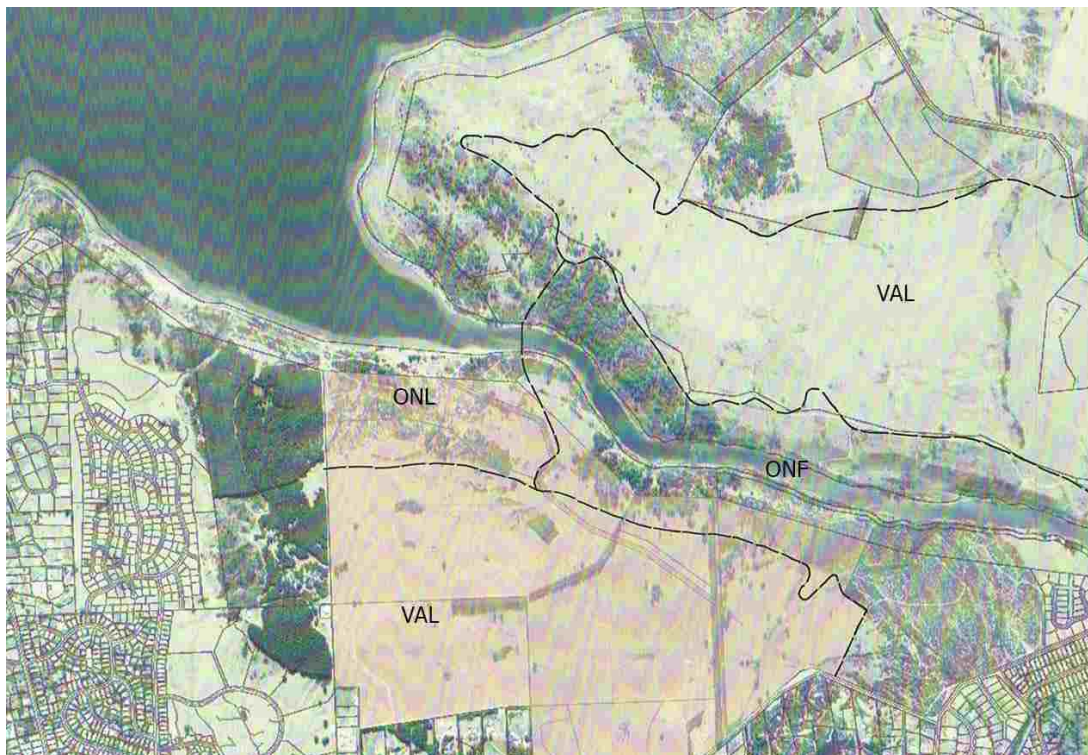
### 3.7.6 Clutha River Corridor

3.7.6.1 The landscape of the northern portion of the Clutha River Corridor is that of the glacial moraine which has been cut through by the actions of the river. At its highest point within this sub-area the moraine reaches 403masl, which is the highest point of the moraine in the vicinity of Wanaka. This point is located within an area which is currently under a pine plantation known as 'Sticky Forest'. While the land form slopes steadily to the west towards the lake from this high point, to the north, south and east it has a much more hummocky but gently declining topography dropping towards the confluence of the Cardrona and Clutha Rivers to the east of Albert Town. The Clutha runs between steeply cut terrace faces for much of its length through this part of its course. The land is clad, in the main, by rough pasture. Where the land drops away more steeply to the Clutha in the north the vegetative cover includes conifers and a mix of indigenous scrub.

3.7.6.2 The outlet of the Clutha River was determined to be an outstanding natural feature in the Crosshills Farm case (C114/2007) and it is the case, arguably, that the entire river corridor is also. The Clutha River outlet is particularly significant in that, of the major lakes in the District, it is the only one which remains unmodified. The outlet and the upper reaches of the river are contained within a distinct channel with steep terrace escarpments on both sides. While it is the case that the Outlet Camping Ground is located within this area, the amount of built form is low and the type is rustic and nestled within indigenous scrub. Maintaining this level of development in this location would not threaten the landscape quality or the integrity of the river feature.

3.7.6.3 Most recently the landscape classification of this part of the river corridor has been

addressed in the assessment of Plan Change 45, known as the North Lake plan change. This plan change was proposed for a block of land located between Aubrey Road and the Clutha River to the east of Sticky Forest. As this land is adjacent to the Clutha River and the lake outlet the location of the margins of the Outstanding Natural Landscape of the lake and the Outstanding Natural Feature of the Clutha River were considered. While a decision on that hearing has not yet been made, the landscape architects (M Read for QLDC and Baxter Design Group for the applicant) agreed on the location of the lines demarcating these landscape classifications. This line has been incorporated into the final proposed map and is illustrated in Fig 27 below.



**Fig 27:** Proposed ONL, ONF and VAL boundaries at the Lake Wanaka outlet as agreed for Plan Change 45

3.7.6.4 Not given consideration at that time was the location of the landscape classification boundary on the adjacent 'Sticky Forest' site, and further west, on the Peninsula Bay site. While the 'Sticky Forest' site is highly modified in terms of its vegetative cover, it is also a remaining unmodified (in terms of earthworks and development) summit of the terminal moraine and I consider that it has some significance because of this. The more northern portion of the Peninsula Bay site to the west of Sticky Forest has also been determined to be appropriately classified as ONL. The proposed location of this portion of the boundary is illustrated in Fig 28 below.





**Fig 28:** Proposed ONL boundary in the vicinity of Sticky Forest and Peninsula Bay

3.7.6.5 As one moves down the river corridor the river terraces move away from and towards the river on alternate sides. Arguably the Hikuwai Reserve should be included within the ONF of the river. However, the open flood plain between it and Albert Town on the true right of the river could not as it is too highly modified incorporating much of Albert Town itself. The area to the east of the confluence of the Hawea and Clutha rivers has been subject to a thorough assessment by Mr Richard Denney in a report on a Resource Consent application (RM110287). I paraphrase Mr Denney's assessment here<sup>20</sup>.

The terrace landscape of the valley floor of the Clutha River is derived from glacial outwash and alluvial fans that have subsequently been cut into creating a series of broad sweeping terraces. These terrace forms extend from Wanaka down to Cromwell and are a distinct geological feature of the upper Clutha valley. The terraces on the eastern side of the confluence of the Hawea, Clutha and Cardrona rivers are relatively uniform in topography providing wide open areas of flat land. The well-defined terrace faces vary in height from around 60m to only a few metres.

The confluence of the Hawea and Clutha rivers provides a converging arrangement of terraces that overlap. The terrace faces and the lower terraces are distinct landforms which are visible from Albert Town, State Highway 6, and a number of local roads including Camp Hill Road and Butterfield Road. The long tapering terrace faces sweep around the apex formed by the convergence of the two rivers providing varying aspects from the north around anti clockwise to the south. The abrupt changes in topography between terrace face and terrace flat creates a spatial depth between the terraces that is highlighted by the changing light conditions throughout the day and seasons.

The landscape is open with generally a monoculture of pasture and very little other vegetation except for isolated areas of kanuka. It is the simplicity and scale of openness of the landscape towards the Clutha and Hawea Rivers that is most

<sup>20</sup> R Denney, RM110287 Landscape Assessment, June 7<sup>th</sup> 2011.

memorable. Apart from pasture and two shelter belts the landscape appears largely undisturbed by development.

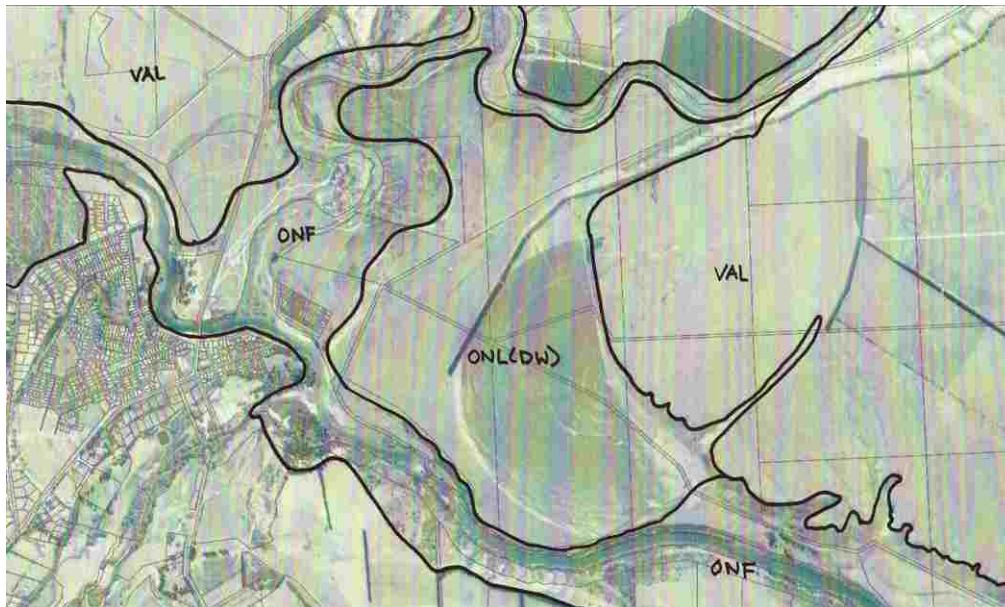
To the north the Butterfield Road terrace face is clearly dominant in the landscape rising some 60m above the flat terrace below. Its tall face is clear reflection of the erosive behaviour of the Hawea River. South of the Butterfield road terrace, the landscape becomes broader with open terraces and with multi layers as the Clutha River comes more into play. The landform is a layered series of terrace and terrace face and is easily read as being formed by the adjacent rivers. The broad scale of the landscape enables panoramic views and provides clear association between terrace, terrace face and active river flood plain.

The changing light of the day on such a broad landscape provides a clarity to the topographic relief that is relatively undisturbed by buildings, roads, and even trees. The open pasturelands wrap to the contour and provide a fine grain texture to which the changing light captures every fine detail of the relief. This creates a landscape in which the natural landform is highly dominant and impressive, forever changing throughout the day and seasons. This effect is more dominant towards the south where the proportion of open land is generally greater.

Further south down the valley the similar and associated landscape of the upper Clutha terraces, known as Sugarloaf, adjacent to State Highway 6 in the vicinity of Lake Dunstan and Lowburn Inlet is identified by the Central Otago District Council District Plan<sup>11</sup> as an Outstanding Natural Feature. The New Zealand Geological Survey of New Zealand described the terrace landscape of the upper Clutha valley as “spectacular flights of terraces cut in glacial outwash and tributary fans”<sup>12</sup>.

As noted previously, the Clutha River is a traditional focus of seasonal migrations and transport route providing access to the lakes Hawea and Wanaka, and to the west coast. The river has also been a tribal boundary.

3.7.6.6 While Mr Denney concluded that this area should be considered to be a part of the ONF of the Clutha River, I consider that it should be determined to be an Outstanding Natural Landscape. My reason for separating this area from the Outstanding Natural Features of the rivers is a matter of scale, the area being too great to really be considered to be a feature in a landscape. The terrace escarpment along the eastern side of this area which encloses it could be considered to be an Outstanding Natural Feature in its own right, however, I have included it within the ONL at this stage.



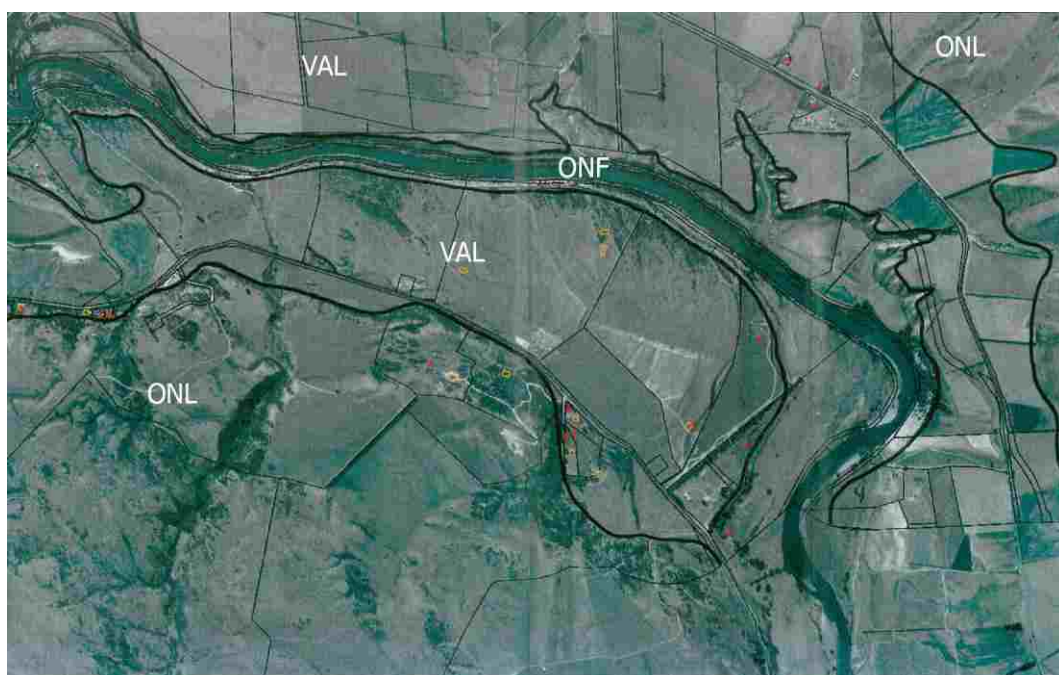
**Fig29:** Proposed landscape boundaries at the confluence of the Clutha and Hawea Rivers

3.7.6.7 As one moves further east past the terrace system at the confluence of the Hawea, Clutha and Cardrona Rivers the channel of the river narrows and is enclosed by the high terraces on both sides, with further narrow lower terraces also before the land drops away to the course of the river itself. In this enclosed corridor the power of the river in creating the channel is clearly evident. They evince high natural character, have extensive indigenous vegetation cover, and are highly legible landforms illustrating the effects of the meandering course of the river through time. I have not continued my assessment to the east of the Red Bridge as, at the time of undertaking field work in this vicinity, that portion of the River was not readily accessible. From a desk top study, however, I consider that the boundary of the ONF should follow the top edge of the lower terrace on the true right of the river. This is, in the main, because of the location of Luggate township and other development on the next terrace. On the true left of the river the line should similarly follow the top of the lower terrace. The upper terrace in this vicinity is expansive and its intensive agricultural use has imbued it with the qualities of a visual amenity landscape.





**Fig 30:** Clutha River ONF in the vicinity of Wanaka Airport



**Fig 31:** Clutha River east of Luggate

3.7.6.8 Two factors complicate the assessment of this corridor as an ONF. The first is the presence within the feature of the Hydro Generation Special Zone. However, I note that Section 12.13.3 of the District Plan states that, "Any activity not defined as hydro generation activity for the purposes of this Plan shall be subject to Part 5, Rural General Zone provisions". Consequently it would seem appropriate that the ONF categorisation be considered when assessing any such other activity. Secondly, west of Luggate the lower flood plain has been subject to a residential subdivision which created eight lots, six of approximately 20ha in area, one of

approximately 30ha and one of approximately 40ha in area, each with a registered building platform. The Commissioners considered (on the basis of the landscape assessment provided) that the landscape was VAL. I consider this categorisation to be in error. However, the degree to which this subdivision could adversely affect the ONF of the river corridor is mitigated by the size of the lots and the fact that the sub-divider voluntarily covenanted a 50m wide boundary setback to enable the regeneration of the kanuka to reduce the visibility of any dwellings from the river. While it is possible that the use of the land for other permitted activities (the subdivision application discussed viticulture) could have a domesticating effect I consider that the character of the soaring river terrace escarpments and the extensive indigenous vegetation in the vicinity of the river would likely mitigate the adverse effects of such activities, and that the classification of ONF is appropriate.

### 3.7.7 Hawea River Corridor

3.7.7.1 The Hawea River enters the area of the confluence with the Clutha River by undertaking a significant meander to the west and flowing around the western margin of the area defined above as an Outstanding Natural Landscape. The terrace system around the river margins is complex. In my opinion, however, the upper terrace surfaces on the true left of the river are within the Outstanding Natural Landscape discussed above, and the feature of the river is restricted to the lower terraces and the margins of the river itself. These terraces and the margins of the river in this southern area are clad with regenerating scrub and have a highly natural character. This is illustrated in Fig 29 above. Moving up the river this feature becomes narrowed, to the point where it contains only the river margins for most of the feature's length. Willows and poplars are present along the margins of the river itself for much of its length. Indigenous vegetation is also present, however, and the character of the river corridor remains highly natural. The outlet of Lake Hawea, which is via a control gate in the Hawea Dam, is not considered to be a part of the Outstanding Natural Feature of the river.

### 3.7.8 Cardrona River Corridor

3.7.8.1 Within the Cardrona Valley the Cardrona River is, rightly in my opinion, generally considered to be a part of the Outstanding Natural Landscape through which it flows. Through this portion of its flow it does not exhibit sufficient distinction from its context, which is its flood plain, to warrant its definition as an Outstanding Natural Feature of the landscape.

3.7.8.2 When the river exits the Cardrona Valley it becomes a more significant feature in the landscape in a similar manner as the Clutha and Hawea Rivers. That is, it too exhibits sequences of terraces where it has cut through the glacial and fluvial materials which form the

Upper Clutha basin. It is the case, however, that, other than the flow of the river itself, there is little natural character remaining, and its aesthetic value has been compromised. The river bed has been and still is extensively quarried for gravel. Areas of semi industrial development have been consented on its flood plains. It is infested with broom, lupins and wilding conifers along most of its length. In other words, the river corridor between the Cardrona Valley and the confluence with the Clutha River is significantly degraded and does not warrant classification as an Outstanding Natural Feature.

### 3.7.9 The Islands of Lakes Wanaka and Hawea

3.7.9.1 The significant islands of Lake Wanaka are Mou Waho, Mou Tapu, Stevensons Island and Ruby Island. These are roche moutonee similar in geological form and origins to Mount Iron and Roys Peninsula. In my opinion these islands should all be identified as Outstanding Natural Features within the Outstanding Natural Landscape of the lake itself. Mou Waho, Mou Tapu and Stevensons Islands all have a highly natural character, being clad in regenerating indigenous forest. Ruby Island has a somewhat modified character having had exotic trees planted on it. Its proximity to Wanaka township has resulted in it becoming a highly valued feature. Its central location in the Rippon Winery publicity photographs and its use on their labels give the Island international exposure, and contribute to its being a readily identifiable and significant feature.



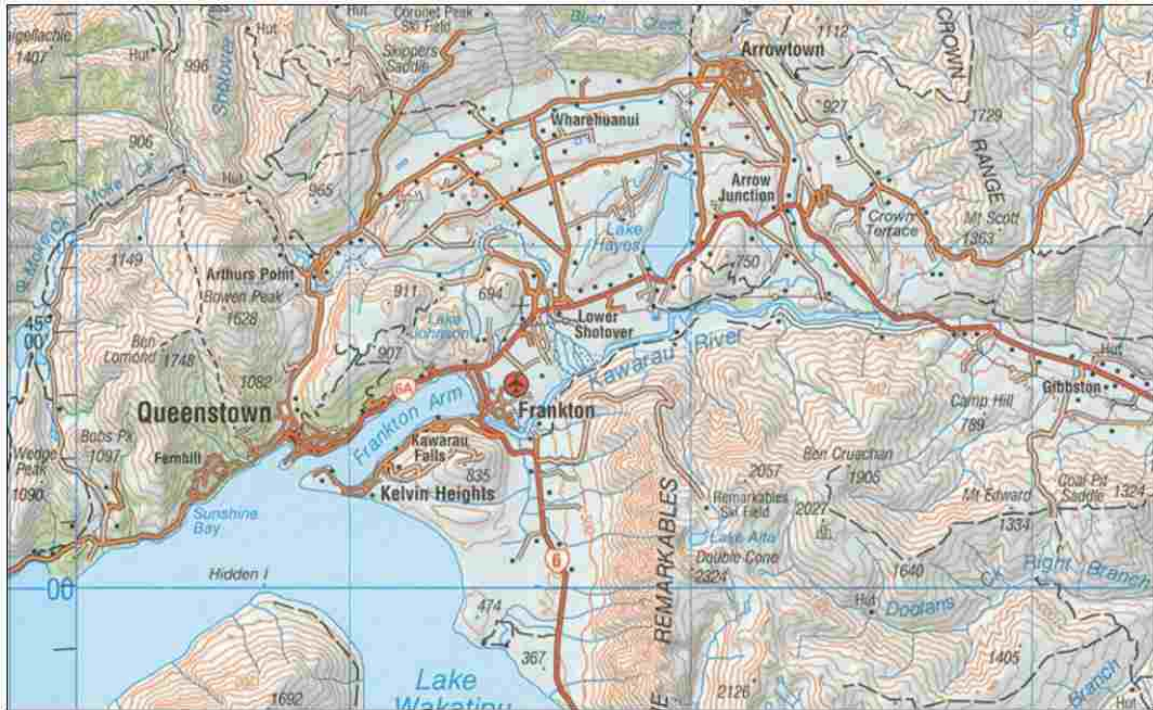
**Fig 32:** Rippon Vineyard publicity photograph with Ruby Island at centre<sup>21</sup>

<sup>21</sup> <http://www.rippon.co.nz/>

3.7.9.2 Silver Island, located within Lake Hawea, should also be identified as an Outstanding Natural Feature. As with Mou Waho and Mou Tapu it is clad with regenerating indigenous vegetation and has a highly natural character.



## 4.0 QUEENSTOWN AND THE WAKATIPU BASIN



**Fig 33:** Map of Queenstown and the Wakatipu Basin

- 4.1 The Wakatipu Basin has been subject to considerable scrutiny with regard to the landscape classifications within it. The C180/99 decision of the Environment Court located the putative boundary lines and subsequent decisions of the Court have 'tweaked' the location of these lines. A number of anomalies exist, however, and a number of further 'tweaks' are considered necessary to ensure a consistent and comprehensive system of classifications.
- 4.2 Kāwarau River corridor
- 4.2.1 Within the Wakatipu Basin no distinction is made, in a planning sense, between the Outstanding Natural Landscape (Wakatipu Basin) and Outstanding Natural Features. Consequently, unless an ONF is not contiguous with an ONL, as is the case with Lake Hayes and Slope Hill, there is no need to identify it. The Arrow River is such a feature, being subsumed into the ONL(WB) of the Crown Terrace escarpment.
- 4.2.2 I consider that the Kāwarau River is an Outstanding Natural Feature. It exhibits high natural character and aesthetic quality along its course. The Kāwarau River Water Conservation Order<sup>22</sup> includes the river's outstanding wild and scenic qualities under its protection.

<sup>22</sup> Water Conservation (Kāwarau) Order 1997

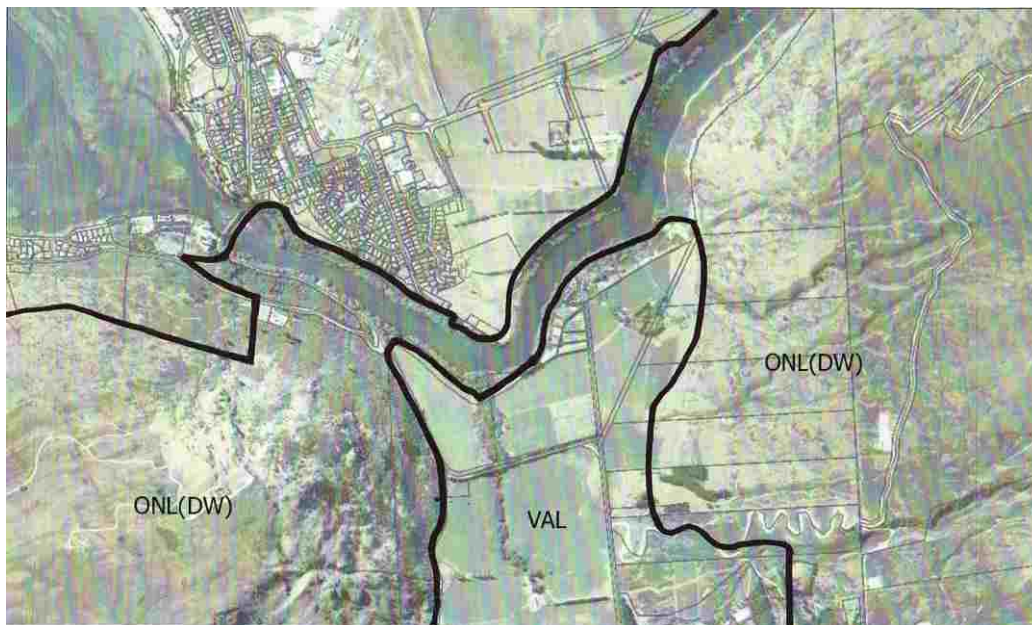


- 4.2.3 The Environment Court established landscape boundaries in the vicinity of the Kawarau River near the outlet of Lake Wakatipu in its C203/2004 and C90/2005 decisions. These lines both exclude the section of the river from the outlet to a point some 2.2km downstream from within the ONL(WB).



**Fig 34:** Extract from Appendix 8A map showing location of ONL(WB) boundaries around Peninsula Hill and the Remarkables

This section of the river is indistinguishable in terms of its qualities from that further downstream and I consider that the boundaries of the ONL(WB) should be moved to incorporate this part of the river.



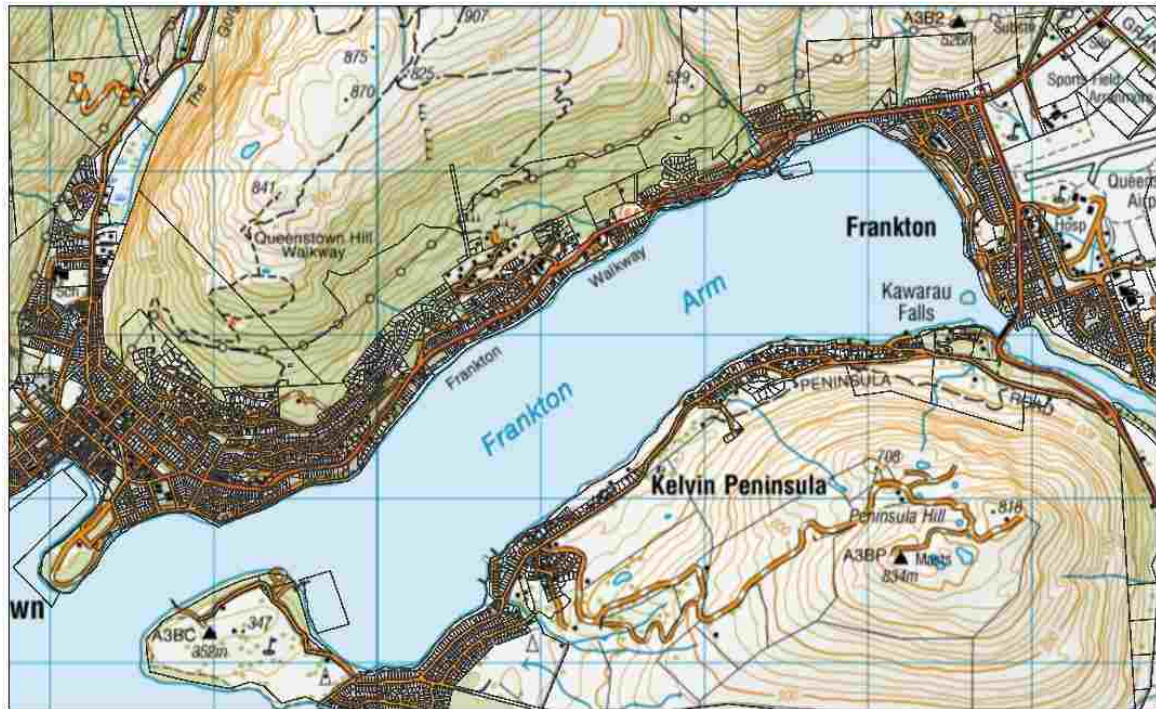
**Fig 35:** Kawarau River incorporated into the adjacent ONL(WB) areas

- 4.2.4 The other area in which the river needs to be distinguished from its context is through the Gibbston Valley and on down the boundary of the District until it enters CODC at Roaring Meg. I am uncertain of the value of mapping the river in this vicinity as a feature and

consider that it may be better to simply define it within the Plan's text as an ONF extending from the landward boundary of any marginal strip or other public land adjacent to the river.

- 4.2.5 I note that there is a potential cross boundary issue relating to the landscape classification of the Kawarau River from its confluence with the Nevis River to the District's boundary. Through this length of the river the true right bank is within CODC and not within QLDC's jurisdiction.

## 4.2 Frankton Arm



**Fig 36:** Map of Frankton Arm

- 4.2.1 The landscape classification of the Frankton Arm of Lake Wakatipu is problematic. The C180/99 decision states at paragraph 107 that:

*We find as facts that:*

...

- (2) *Lake Wakatipu, all its islands, and the surrounding mountains are an outstanding natural landscape.*

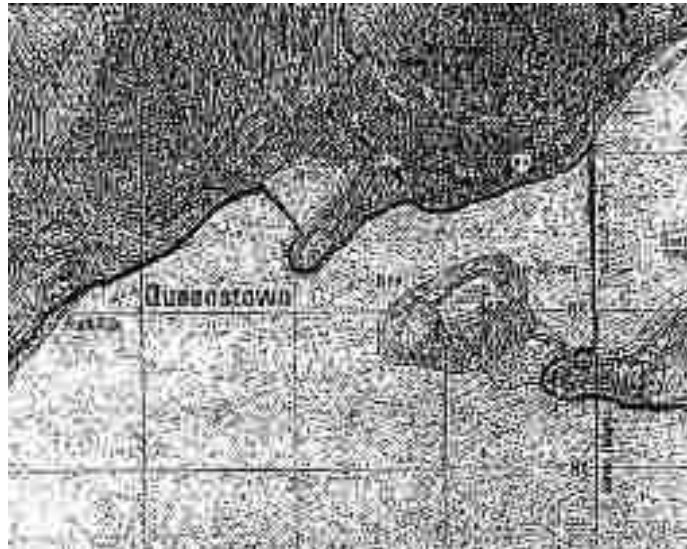
At paragraph 111 the same decision states that the line distinguishing the ONL:

*...inside which the landscape is not an outstanding natural landscape but is at least in part visual amenity landscape...[follows]*

- *around Peninsula Hill excluding urban zoned land in Frankton*
- *then back to Sunshine Bay around the lake edge as shown on Appendix II.*

The relevant portion of the Appendix II map is reproduced below.





**Fig 37:** Excerpt from Map included in Decision C180/99

- 4.2.2 The line which separates the Frankton Arm from the body of Lake Wakatipu includes the Kelvin Heights Golf Course peninsula within the ONL(WB) and excludes the Botanic Gardens Peninsula. The location of this line is not defensible in landscape terms. These two peninsulas are identical in geomorphological terms, and indeed are probably remnants of the same moraine which has been breached by the lake. Both are significantly modified in terms of their ecological integrity and their obvious vegetative cover. Both significantly penetrate the lake's surface and consequently gain much of their character from being surrounded by water. Both are zoned Rural General. The line running from Kelvin Heights to the northern shore of Frankton Arm runs due north – south. It does not appear to connect with any significant landscape feature on either shore but runs from the northern corner of the low density residential zone on Kelvin Heights to an apparently arbitrary point on the northern shore. Further, the line separating Frankton Arm from the body of the lake includes, at its western end, a significant area of lake surface.
- 4.2.3 While the character of the north eastern shore of the Kelvin Peninsula may be less developed than the more eastern, suburban portions of Kelvin Heights it is nonetheless the location of the Kelvin Heights Yacht Club, several jetties, numbers of moorings and slip ways including the Earnslaw's dry dock, all features which are similar to those found along the waterfront to the east. While one might logically determine that the level of development on and around the Frankton Arm give it a character distinct from that of the main body of the lake, one would expect that a line denoting that distinction would cross the neck, that is the narrowest point which distinguishes one body of water from another. A line in such a location would run from the northern most point of the Kelvin Peninsula across the shortest distance to the northern shore.

- 4.2.4 These apparent contradictions within the text and illustrations regarding the Frankton Arm have been matched by landscape assessments which have variously determined the Frankton Arm to be a part of the Outstanding Natural Landscape (WB); as a part of the ONL(DW); as a part of the VAL of the Wakatipu Basin; and as an Other Rural Landscape (ORL). Despite all of these various assessments I cannot find a single example of a resource consent application for an activity on or within the Frankton Arm which has been declined on the basis of the adverse effects it was likely to have on the landscape although it is certainly the case that applications, particularly for moorings, have been modified because of the assessed adverse cumulative effects on the landscape of the Arm.
- 4.2.5 It is the case that the District Plan requires that all land zoned Rural General must be subject to landscape classification. The margins of the lakes are so zoned as well as their surfaces and it is presumed that this is in order to satisfy the requirements of S6(a) of the Act in addition to S6(b). The Frankton Arm of Lake Wakatipu has a character which is different to that of most, if not all, of the rest of the lake. It is more enclosed than any other part of the lake. It is surrounded by residential development, the only exception being the north eastern side of the Kelvin Peninsula. There are large numbers of boat moorings, jetties, slipways, and boat sheds along its margins from adjacent to Park Street and the Botanic Gardens right around to the northern head of the Kelvin Peninsula. It is the location of much recreational and some commercial boating. It is my opinion that the Frankton Arm and its margins should either be given its own zone, or an activity overlay which removes from it the requirement for any landscape categorisation. This zone or activity overlay would entail its own objectives and policies which should focus on the maintenance of the amenity of the Arm and on its importance as a site of lacustrine activities. In this regard the treatment of Queenstown Bay would provide a model.



**Fig 38:** Proposed Frankton Arm overlay area boundaries

4.2.6 Queenstown Bay is, in part at least, zoned 'Town Centre Zone'. This zone has explicit policies and objectives for the management and development of activities within the Bay. In many ways Queenstown Bay is similar to Frankton Arm in the sense that its quality is both a function of its naturalness, as a part of the lake, and its development, in the main jetties and boating activities. Together these provide for a vibrant and exciting foreshore which forms a focus for the township but which remains subservient to the natural landscape. A similar regime should be considered for Frankton Arm.

### **4.3 Queenstown Township and Environs**

4.3.1 There are a number of issues around the township regarding the locations of the boundary of the ONL(WB). The major issue in this vicinity is the location of the westernmost boundary between the ONL(DW). Further, more minor, issues arise in regard to the location of the boundary of ONL(WB) in the vicinity of the Sunshine Bay Low Density Residential zone and the landscape classification of the One Mile Creek catchment.

4.3.2 Location of the boundary between the ONL (Wakatipu Basin) and the ONL (District Wide) in Sunshine Bay

4.3.2.1 The putative boundary between the Outstanding Natural Landscape (Wakatipu Basin) and the Outstanding Natural Landscape (District Wide) was located by the Environment Court in C180/99. For the majority of its extent the line follows the ridgeline of the mountain ranges which enclose the Wakatipu Basin and the area in the vicinity of Queenstown township. Four exceptions exist to this pattern:

- The line across the Kawarau River gorge runs in a straight line between the summits of Cowcliff Hill and Mount Scott.
- The line across the Arrow River gorge runs in a straight line between the summit of Mount Scott and the summit of Big Hill.
- The line forming the southernmost boundary of the Wakatipu Basin ONL descends from the ridgeline of the Remarkables Range into the bed of Wye Creek and from there descends to the lake edge.
- The line forming the western most boundary of the Wakatipu Basin ONL descends in a straight line from Point 1335 on the southern ridge of Ben Lomond to the lake edge in Sunshine Bay.

4.3.2.2 With regard to the location of the line across the Kawarau and Arrow River gorges, while neither of these lines follow any sort of land features or visible landscape boundaries, both are outside of the visual catchment of the Wakatipu Basin. That is, from all locations where you know you are in the Wakatipu Basin the location of these lines is hidden



from view by intervening spurs and other land forms. The bed of Wye Creek, while not a clearly defining terminating feature of the Basin, is nonetheless a natural feature which is clearly visible from within Queenstown and its surrounds and so the location of the line contiguous with that feature has some logic. The location of the line running from Point 1335 on the southern ridge of Ben Lomond is both within the visual catchment of the Queenstown township and Wakatipu Basin and follows no natural feature.

4.3.2.3 In the C180/99 decision the Court stated that, 'We consider that outstanding natural landscapes and features should be dealt with in (at least) two parts: the Wakatipu Basin and the rest of the district'<sup>23</sup>. The Court continued:

*The Wakatipu Basin is more difficult to manage sustainably. The outstanding natural landscapes and features of the basin differ from most of the other outstanding natural landscapes of the district in that they are more visible from more viewpoints by more people...for these reasons, the Wakatipu Basin needs to be treated as a special case and as a coherent whole.*<sup>24</sup>

4.3.2.4 From the available vantage points – from Wye Creek, the Remarkables Ski Field Road, the Cardrona Ski Field, Queenstown Botanic Gardens, the Kelvin Heights golf course – the southern ridge of Ben Lomond provides a notable point of enclosure to both the township and the basin protruding, as it does, into the lake. There is no alteration in topography, underlying geomorphology, vegetation cover or degree of visibility to indicate why the line in this vicinity should not follow the ridgeline as it does so around the rest of the Wakatipu Basin. Consequently it is my opinion that the line separating the ONL (Wakatipu Basin) from the ONL (District Wide) should follow the ridgeline from the place where its tip exits the lake, and follow that ridgeline to its summit of Ben Lomond. This is illustrated on Fig 39 below.

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<sup>23</sup> C180/99 P80, Para 135

<sup>24</sup> ibid P81, Para 136



**Fig 39:** Map showing locations of putative and proposed boundaries between the ONL (WB) and the ONL (DW)

4.3.3 The location of the putative ONL (Wakatipu Basin) line in relation to the western edge of the Sunshine Bay Low Density Residential Zone.

4.3.3.1 An anomaly exists with regard to the location of the boundary of the ONL (Wakatipu Basin) within Sunshine Bay. Text of C180/99 states that the Wakatipu ONL excludes all lands zoned residential, industrial or commercial. Consequently the putative line delineating the inner boundary of the ONL generally follows the zone boundary. At the western edge of Sunshine Bay, however, it is located approximately 400m to the west of the Low Density Residential zone incorporating an area of Rural General land within the township. In my opinion the appropriate position for the boundary line is contiguous with the zone boundary in this location, there being no identifiable features to distinguish this land from that adjoining it to the west.

4.3.4 The One Mile Creek catchment

4.3.4.1 The One Mile Creek catchment forms a natural interruption between the residential development to the west of the town centre and that of Fernhill and Sunshine Bay. Edging the gully containing the creek are two blocks of Council owned land. The first is a block of

approximately 8ha of land off Fernhill Road in which Council has developed the Wynyard mountain bike park and while it is zoned Low Density Residential it is also included within the recreation reserve which encompasses most of the southern face of Ben Lomond and Bowen Peak behind the township. The second is an area of approximately 13ha on the eastern side of One Mile Creek, bisected by the road corridor which contains the Ben Lomond track. This block of land is subject to the Queenstown Commonage Reserve Management Act 1876 which requires the land to be held in trust for the use of the inhabitants of Queenstown. The putative landscape line follows the upper boundaries of these lots excluding the lower gorge of One Mile Creek from the ONL(WB).

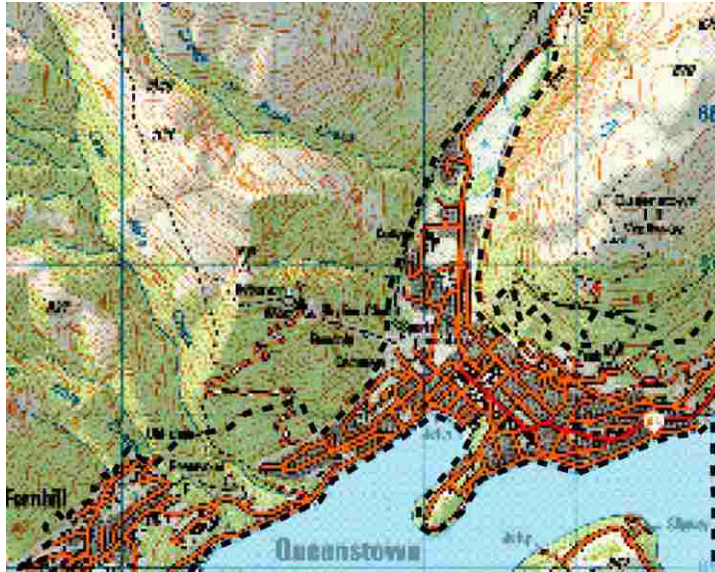
4.3.4.2 The One Mile Creek gorge is a natural feature of some beauty and integrity. The walkway which extends up it from the Power Station and which meets up with the access road to the Skyline building wends its way through remnant beech forest. While not being of sufficient significance to qualify as an outstanding natural feature in its own right it is a natural feature of some importance and, arguably, an important heritage landscape feature also containing as it does the relic remains of Queenstown's first hydroelectric power station. In my opinion the One Mile Creek gorge should be included within the ONL (WB) which would require locating the line further south, crossing the gully in the vicinity of the power station. This is illustrated in Fig 40 below.



**Fig 40:** Aerial of Sunshine Bay and Fern Hill showing proposed boundary between the ONL(DW) and ONL (WB) with the amendments around Sunshine Bay, Fern Hill and One Mile Creek



#### 4.3.5 Queenstown Urban Area (Gorge Road / Queenstown Hill / Frankton Road)



**Fig 41:** Extract from the Appendix 8A maps showing the putative ONL(WB) boundary around Queenstown township

4.3.5.1 It is the case that the mountain slopes around Queenstown township provide a spectacular container for the town. As such, despite the obvious modifications such as the Skyline Gondola and the presence of wilding conifers over the mountainsides, the appropriateness of their classification as ON(WB) would seem indisputable. Consequently, it would seem that the logical boundary of the ONL would follow the boundary of the Rural General zone. While in landscape terms this does not necessarily follow a distinct landscape feature it is the case that, at least between Brecon Street and the gorge, that it approximates the point at which the lake terrace and the mountainside intersect. Within the gorge the open land immediately adjacent to the township is reserve land owned by Council and the location of a significant wetland. I consider that this area should be included within the ONL(WB) as it has high natural character and forms a foreground for the cliffs on the western side of Queenstown Hill.

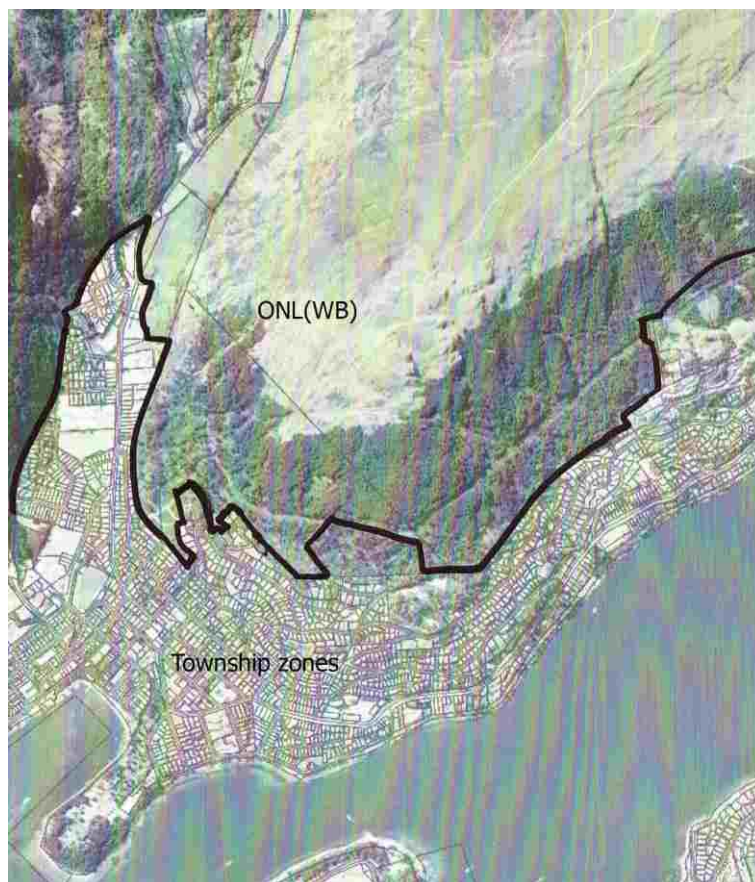
4.3.5.2 The putative ONL line follows the foot of the Queenstown Hill escarpment down the eastern side of the gorge which is appropriate. The quality of the western escarpment of Queenstown Hill is notable. The soaring cliffs are quite spectacular, although the faces of the cliffs are being invaded by conifers and hawthorn which reduce the quality of the feature. The demarcation between the valley floor and the hillside remains very distinct. This is illustrated in Fig 42 below.

4.3.5.3 The location of the landscape boundary on Queenstown Hill has been, and remains problematic. This is in part because Rural General zoned land on the upper margin of the Low Density Residential zone has been subdivided into residential sized lots. In the Trident



case, which related to one of these lots, it was argued that the site was not a part of the Outstanding Natural Landscape and was a part of the township. The High Court's ruling was that all Rural General land within the District must be subject to a landscape classification and if the site was not part of the ONL and could not be classified as part of a VAL then it must be classified as Other Rural Landscape (ORL). I consider that the pragmatic solution is to locate the boundary of the ONL on the edge of the Low Density Residential zone but also excluding the existing residential lots which have been created within the Rural General zone. This would result in these lots being assessed as ORL which would facilitate their development which is clearly anticipated.

4.3.5.4 The putative landscape line determining the boundary of the ONL of Queenstown Hill and the residential development above Frankton Road runs along the edge of the Low Density Residential zone. These contiguous boundaries head up the hill side approximately a third of the way along the Frankton Arm from the town centre and run at a higher elevation from then on extending up into a major gully on the mountainside before descending again right to the Frankton Road. This configuration of both the zoning and the landscape boundary reflect the underlying topography, the areas zoned Low Density Residential being less steep than the Rural General land above. In this sense, therefore, the boundary is appropriate.



**Fig42:** Proposed ONL(WB) boundary around Queenstown township

#### 4.4 Ferry Hill / Shotover River



**Fig 43:** Ferry Hill ONL from Appendix 8A of the District Plan

- 4.4.1 The putative landscape line dividing the Low Density Residential zones above Frankton Road from the ONL of Queenstown Hill descends to the State Highway just to the west of Frankton and then extends along the foot of the slope behind the Terrace Junction development adjacent to the Rural General zone boundary. To the east of the intersection with Hansens Road the line begins to delineate the extent of the ONL within Rural General zoned land on the Frankton Flats. The Frankton Flats are a part of an outwash fan of the Shotover River which was formed when the lake level was higher than currently. From a geomorphological perspective this outwash fan has been deposited up to the flanks of the roche moutonee land forms of Ferry Hill, K Number 2 and Queenstown Hill. From a visual perspective the intersection between the outwash fan and these schist hills is very clear. The putative landscape line distinguishing the landscape of the flats from the Outstanding Natural Landscape of the hills runs along the intersection of these land forms for most of its extent across the Frankton Flats and this is appropriate.
- 4.4.2 The situation gets a bit more complicated at the northern corner of the Frankton Flats. Here the outwash material intersects with moraine and other terrace alluvium which predates the Flats landscape. These deposits form a hummocky terrace elevated some twenty metres higher than the surface of the Flats. The intersection of this material with

the roche moutonee landform of Ferry Hill is not quite so distinct. However, it is still discernable and, in my opinion, the transition between the landscape of the lower land forms and the Outstanding Natural Landscape is the point at which the boundary should be located. This crosses some of the land within the Quail Rise Special zone but where this crosses residential lots it is, in the main, contiguous with the boundary of the area designated G Activity Zone within that zone's structure plan.

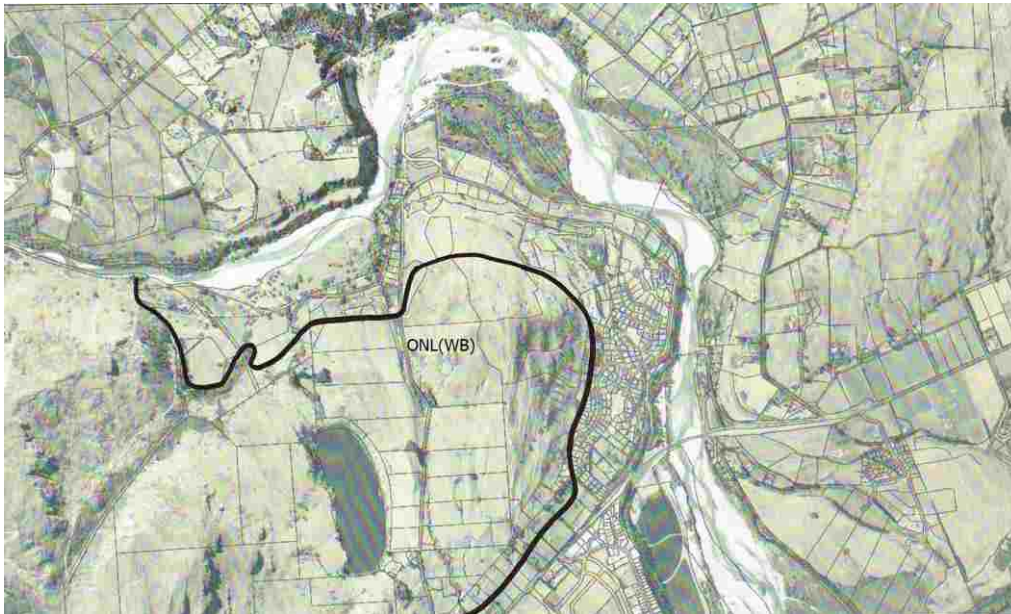
- 4.4.3 A portion of the ONL line around Queenstown Hill was determined by the Environment Court in its C109/2000 decision. This line is associated with a row of poplars which is evident across the slope and is considerably more elevated than the change in topography identified as the appropriate boundary between the landscape categories further south. In 2009 Ms H Mellsop undertook an assessment of the appropriate location of the line in relation to a resource consent application within Quail Rise (RM090658). Her assessment stated:

*The precise boundary between this feature and the adjacent visual amenity landscape of the outwash terrace has not been determined. However in the vicinity of the application site I consider the boundary would be located at the change in gradient between the moderate upper slopes of the terrace and the steep face of Ferry Hill. This change in gradient runs through the western part of residential properties south of the subject site on Abbottswood and Coleshill Lanes, below a small Douglas fir plantation, behind the building platform on proposed Lot 2 and below the group of immature poplars on proposed Lot 1 (see Attachment A and Photographs 1 and 2 below). This line is supported by the underlying zoning, which shows the boundary of the Residential 2 Activity Area running through the lower parts of the properties south of the subject site, with retention of all land above this line as open space.*

I agree with this assessment and have adopted it and included it in the illustration in Fig ? below.

- 4.4.4 To the north of Ferry Hill the putative landscape line follows the same contour as the confirmed line until approximately the vicinity of the Rural Residential zoned land in Hansens Road. Here it follows, firstly the top of the steep escarpment behind the residential zone, and then the bottom of the mountainside around an area of remnant river terrace before dropping to the Shotover which it crosses to the river's true left bank. The actual appropriate location of this boundary is currently a matter of contention in an appeal to the Environment Court regarding a proposed subdivision in Hansens Road. I have examined the evidence presented by both the appellant's and Council's landscape architects and am of the opinion that Ms Mellsop provides the more compelling argument. Consequently I adopt the location of the boundary which she has proposed and this is reflected in Fig 44 below.





**Fig 44:** Proposed ONL(WB) boundary on Ferry Hill

#### 4.5 Arthurs Point East



**Fig 45:** Map of Arthurs Point East

- 4.5.1 The landscape classification boundaries in relation to Arthurs Point were determined by the Environment Court in their C3/2002 decision. This decision primarily related to the location of that line within the Arthurs Point basin located to the north east of Arthurs Point itself. The decision placed the boundary between ONL and the VAL along the ridge known as the 'Tremain Boundary'; had it cross over North Ridge and then follow that ridgeline, more



or less, in a south westerly direction until it reached the Shotover River. This is illustrated in Fig 46 from the Appendix 8A maps of the Plan. Subsequent to the hearing of C3/2002 a memorandum was sent to the Court raising the point that the 'landscape lines' as determined appeared to include the Arthurs Point Low Density Residential Zone and the Arthurs Point Rural Visitors Zone within the Outstanding Natural Landscape (Wakatipu Basin). In response to this the court drew a discontinuous line on the planning map 'for the avoidance of doubt' which they stated was to mark 'the inside line of the ONL as we find it to be'<sup>25</sup>.



**Fig 46:** Map of Arthurs Point area from Appendix 8A of the District Plan

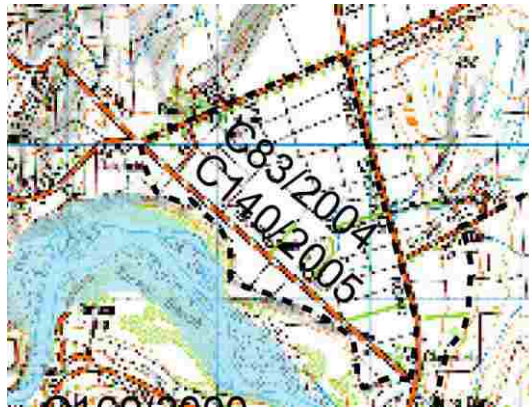
- 4.5.2 Far from removing doubt this line is highly problematic. It is difficult to understand why such a line should have been considered necessary as the landscape categories do not apply to land zoned Low Density Residential and may be applied within the Rural Visitor zone only in the assessment of non-complying activities<sup>26</sup>. It appears that the line was intended to be read in conjunction with the planning maps and that its aim was to cleave off a corner of the Rural General zoned land adjacent to the Rural Visitor zone. As this area cannot be described as a landscape in its own right it then appears necessary to consider it as ORL. However, the land in question, while located on the edge of the Rural General zone, is not distinct from the rest of the zone around it in terms of its geomorphology, its vegetative cover or its land use save that it is the location of a number of dwellings. I do not consider that the presence of these dwellings, while reducing the naturalness of the landscape in the vicinity, have sufficient impact on the quality of the broader landscape to alter its classification from ONL to ORL.
- 4.5.3 Further, it is the case that the Arthurs Point Low Density Residential and Rural Visitor zones are in fact located entirely within an outstanding natural landscape. This is what

<sup>25</sup> C3/2002, para 40, P20

<sup>26</sup> J E McDonald, Solicitor, for Macalister Todd Phillips. Letter to QLDC dated 12 February 2007

provides the settlement with its character and amenity. It is also clear that the landscape related assessment matters only apply to discretionary activities within the Rural General zone. Consequently there is no impediment to development within the Low Density Residential zone at Arthurs Point created by its embeddedness within the outstanding natural landscape. It would seem entirely appropriate that the Objectives and Policies of Section 4.2.5 should apply to non-complying activities within the Rural Visitor zone as the District Wide Objectives and Policies form the baseline for all development within the District. Consequently it is my opinion that this discontinuous line should be removed from the Appendix 8A maps.

#### 4.6 Hawthorn Triangle



**Fig 47:** Hawthorn Triangle ORL from Appendix 8A of the District Plan

- 4.6.1 The Environment Court ruled in its C83/2004 decision that the 'Triangle' as it is known locally, and land along its western margin, was correctly classified as an Other Rural Landscape in the terms of the QLDC District Plan. It is the case that the Court did not definitively determine the boundaries of the area. They did, however, provide indicative boundaries following Lower Shotover Road to the north, Speargrass Flat Road to the west and then along the top of the Shotover River terrace to the south east to close the triangle. The 'Triangle' itself (as opposed to the ORL) is surrounded by a hawthorn hedge which is almost continuous, but for a portion of the Domain Road side, and a significant Lombardy poplar avenue along the Speargrass Flat Road boundary. These are both protected features under the District Plan. This hedge results in a high degree of containment of the land within, and it and the poplar avenue provide a significant contribution to the character of the landscape in the vicinity.
- 4.6.2 The land on which the 'Triangle' is located is a part of the same outwash material which has formed this area, the Frankton Flats and the Ladies Mile terrace. This larger landform was the outwash fan of the Shotover River created when the lake level was some 60m higher and its outlet was located at what is now Kingston. It is striking for its flatness (although there is a small hillock located in the western portion of the area contained by

the hawthorn hedge) and for the contrast which this provides to the surrounding hills and mountains. This landform extends beyond the putative boundaries in a bulge to the north which extends some 790m to the south west from the intersection of Speargrass Flat and Lower Shotover Roads; some 1.1km north east along Speargrass Flat Road from that intersection and approximately 400m north to the foot of Malaghans Ridge. In addition a small area of land to the south east of the Speargrass Flat / Lower Shotover Road / Hunter Road intersection is a part of this landform.

- 4.6.3 The area which has been delineated as ORL is not, in my opinion, a landscape, nor even a landscape unit. Neither is it a remnant of Rural General Zoned land which has become isolated from its landscape by zoning. In my opinion these boundaries simply delineate an area in which subdivision has been permitted to a level of intensity which approximates that that of the Rural Lifestyle zone standards but without the appropriate change in zoning. It is also my opinion that this level of development threatens the integrity of the Rural General zone itself. I consider that the rezoning of this area to Rural Lifestyle should be undertaken with urgency.

#### **4.7 Lake Hayes / Slope Hill**

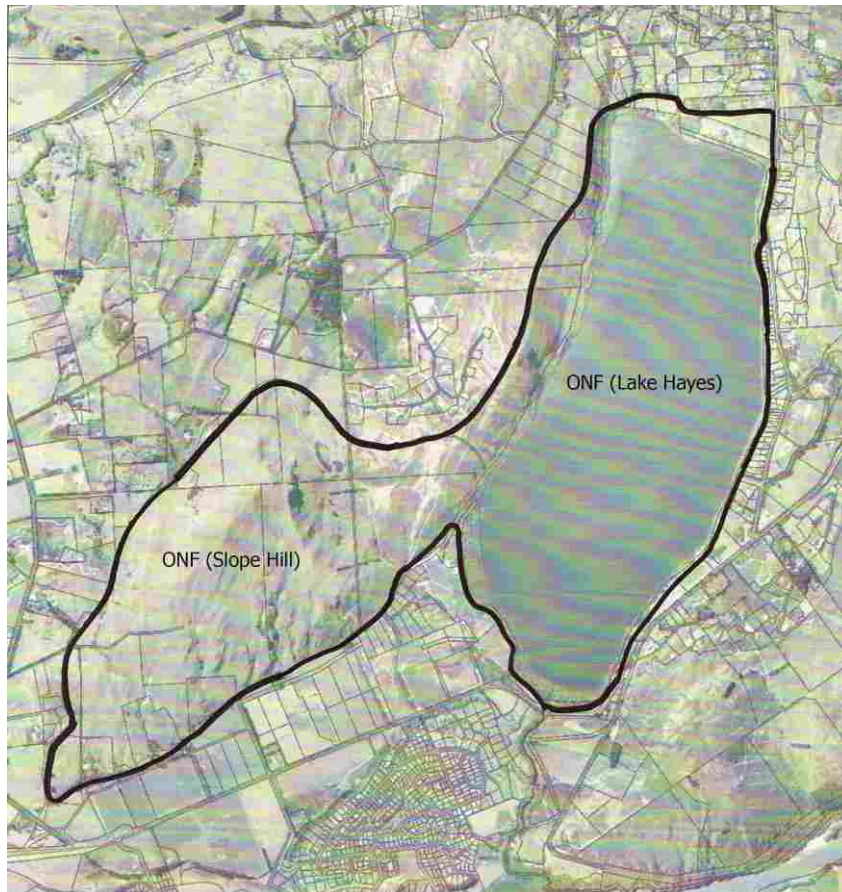


**Fig 48:** Slope Hill and Lake Hayes ONF from Appendix 8A of the District Plan

- 4.7.1 The C180/99 determined that Lake Hayes and Slope Hill should, together, be classified as an Outstanding Natural Feature. To this end the Appendix 8A maps in the District Plan show the boundary of the ONF as a dotted line with a short section of solid line in the south western corner of the area. The location of this portion of line was determined by the Environment Court in relation to a reference in its C216/2001 decision and it follows, first, a hawthorn hedge and then a water race which traverses the slope of the hill.

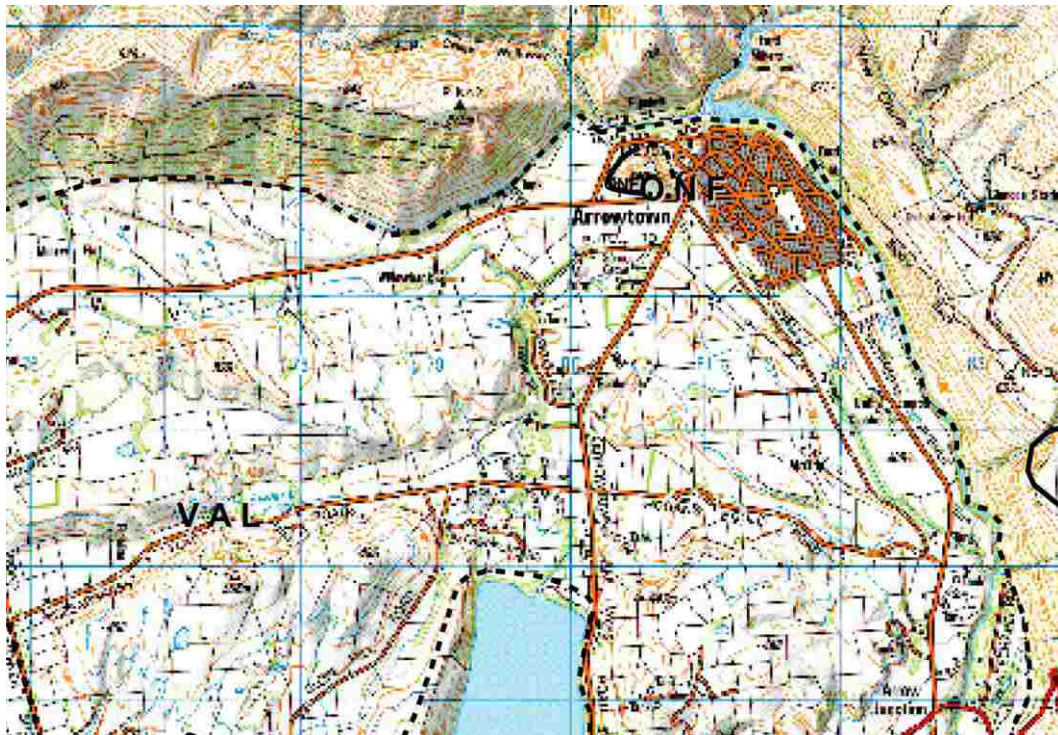
- 4.7.2 The putative landscape line delineating Slope Hill starts close to the margin of Lake Hayes and follows the foot of the escarpment along the north western edge of the Ladies Mile flats. This is an appropriate location for such a line. At its southern most extent this line appears to include a number of residential dwellings and their associated curtilage area and amenity planting within the ONF. These are well established dwellings which are not readily noticeable from public locations and which are set amongst well established amenity trees which, while exotic, do contribute to the natural character of the vicinity. This line then joins the line established by the Court at the hawthorn hedge. The putative landscape line continues along the water race but then descends the hill, running due north, until Slope Hill Road itself is met at which point it turns to the north east and follows the road boundary. I do not consider that this location is appropriate. The water race does provide a clear boundary between the more developed lower slopes of the hill and the more open elevated slopes for much of its length. I consider that it should diverge from the water race in the vicinity of Lot 1 DP 303124, however, rising up the hill to exclude the dwelling on that lot from the ONF. It should then swing to the north east south of the dwelling on Lot 1 DP 27507 and to the south of the building platform on the adjacent Lot 4 DP 2745419. Past this lot it should swing to the south east so as to pass to the south of the basin which encloses the Threepwood subdivision before swinging, again, to the north to include the western escarpment above Lake Hayes within the ONF.
- 4.7.3 Lake Hayes is considered to be an outstanding natural feature. Its margins are included, presumably because, firstly they are zoned Rural General and thus require landscape categorisation and secondly because under Section 6(a) of the RMA Council is required to protect its natural character. I consider that the boundaries of the ONF of Lake Hayes should follow the boundary of the reserve land and marginal strips around its edge. The land within this strip is modified to varying degrees around the lake but the removal of willows and the re- establishment of indigenous riparian vegetation which is occurring in locations around the lake are increasing the natural character and quality of the lake margins. The proposed boundary of the combined features is illustrated below in Fig 49.





**Fig 49:** Slope Hill Lake Hayes ONF

#### 4.8 Arrowtown / Coronet Range



**Fig 50:** Map of the north east corner of Wakatipu Basin

- 4.8.1 A discrepancy appears to exist between the putative landscape line which has been included in the District Plan Appendix 8A maps and the line actually proposed by the Environment Court in its C180/99 decision in the vicinity of the eastern portion of Malaghans valley. In its decision the Court located the line along the northern side of Malaghans Road so as to include the dissected terrace landscape at the foot of the Coronet Peak / Brow Peak ridge within the ONL(WB). I understand that the original line followed Malaghans Road all the way along the valley in that original decision but have been unable to locate the original appendix to the decision to check this.
- 4.8.2 The C3/2002 decision of the Court moved the landscape line from the northern side of Malaghans Road to the foot of the mountainside along the western half of Malaghans valley. This line ends approximately north west of the intersection between Malaghans Road and Hunter Road. It is my opinion that the location of the line to the east of this on the Appendix 8A maps is actually appropriate (even though its justification remains obscure). The location of this western portion of the landscape line was the subject of debate between landscape witnesses within the Spruce Grove appeal case, C147/2011, however, the Court did not make a ruling on the boundary issue. It is my opinion that Council's witness, Ms Mellsop, was correct in the location of the line in this vicinity as provided in her rebuttal evidence. She notes that the line which she has drawn is located where the distinct change in both topography and vegetation cover occurs. To the east of the Middlerigg Lane intersection with Malaghans Road this follows the Arrow Irrigation water race around to the east above Butel Park. To the west its location dips below the race but returns to it briefly before following the transition slope below the Council's plantation forest. This has been incorporated into the proposed map of the vicinity and is illustrated in Fig 51 below.



**Fig 51:** ONL boundary in the north eastern corner of the Wakatipu Basin



## **4.9 Shotover River corridor**

- 4.9.1 In its C35/2002 decision The Environment Court determined that part of the upper Shotover Gorge, south of Skippers township, was an ONF. It also discussed the things which could be considered in the determination of such a feature, in addition to its outstandingness and naturalness. These are: that the Plan identifies several river gorges as ONFs; that the protection of rivers and their margins is a matter of national importance under S6(a) of the RMA91; and that the Shotover, as with other rivers in the Wakatipu area, is a tributary of the Kawarau River and protected by the Kawarau River water conservation order. The extent of their consideration of the Shotover River as and ONF was limited to the stretch from Maori Point to Long Gully, however, and in this area they determined that the ONF extended from the top of the cliffs on one side of the river to the top on the other. The Environment Court also included the delta of the Shotover River at its confluence with the Kawarau to be within the ONL(WB) in its C203/2004 decision. From a point approximately 2km west of Tuckers Beach to the boundary between the ONL(WB) and the ONL(DW) the river is subsumed within the ONL(WB) and its definition as an ONF is unnecessary (see S4.4 above). The stretch of river to the east of this area as far as the State Highway 6 Bridge remains unconsidered. This is illustrated in Fig 52 below.
- 4.9.2 It is my opinion that this stretch of river should receive similar levels of protection to those on either side. Aspects of this stretch of river, particularly the clay cliffs adjacent to Dalefield, are a spectacular feature of the landscape, and their formation by the river's actions is readily perceptible. While parts of the area are weedy with broom and wilding conifers problematic in places indigenous vegetation remains present and natural forces clearly dominate the landscape. The river in this portion transforms from the enclosed single channel of the gorge to the braided form which extends to the confluence with the Kawarau to the south.
- 4.9.3 In my opinion the topography to the north of the river and of Tuckers Beach provide a clear indication of the appropriate boundary of the ONF of the river. The situation is more complex to the south and east. A rubbish dump was located at Tuckers Beach and gravel extraction activities have occurred there more recently. As the effects of this latter activity are likely to be erased by high water flows this area should not be disqualified from inclusion within the ONF. The area in which, I understand, the dump was located is further to the south and should be excluded. To the east the boundary should follow the edge of the escarpment on which the boundary of the ORL of the Hawthorn Triangle is located. To the south east where domestication has extended closer to the river this should descend to the margin of the river where it should remain, passing under the State Highway 6 Bridge. On the true right of the river the feature should exclude the Tucker Beach reserve and follow riverwards edge of the marginal strip until the formed portion of Tucker Beach Road is reached where it should follow the eastern road margin to the old bridge. From there it

should follow the bank of the river passing under the State Highway Bridge. This is illustrated in Fig ? below.

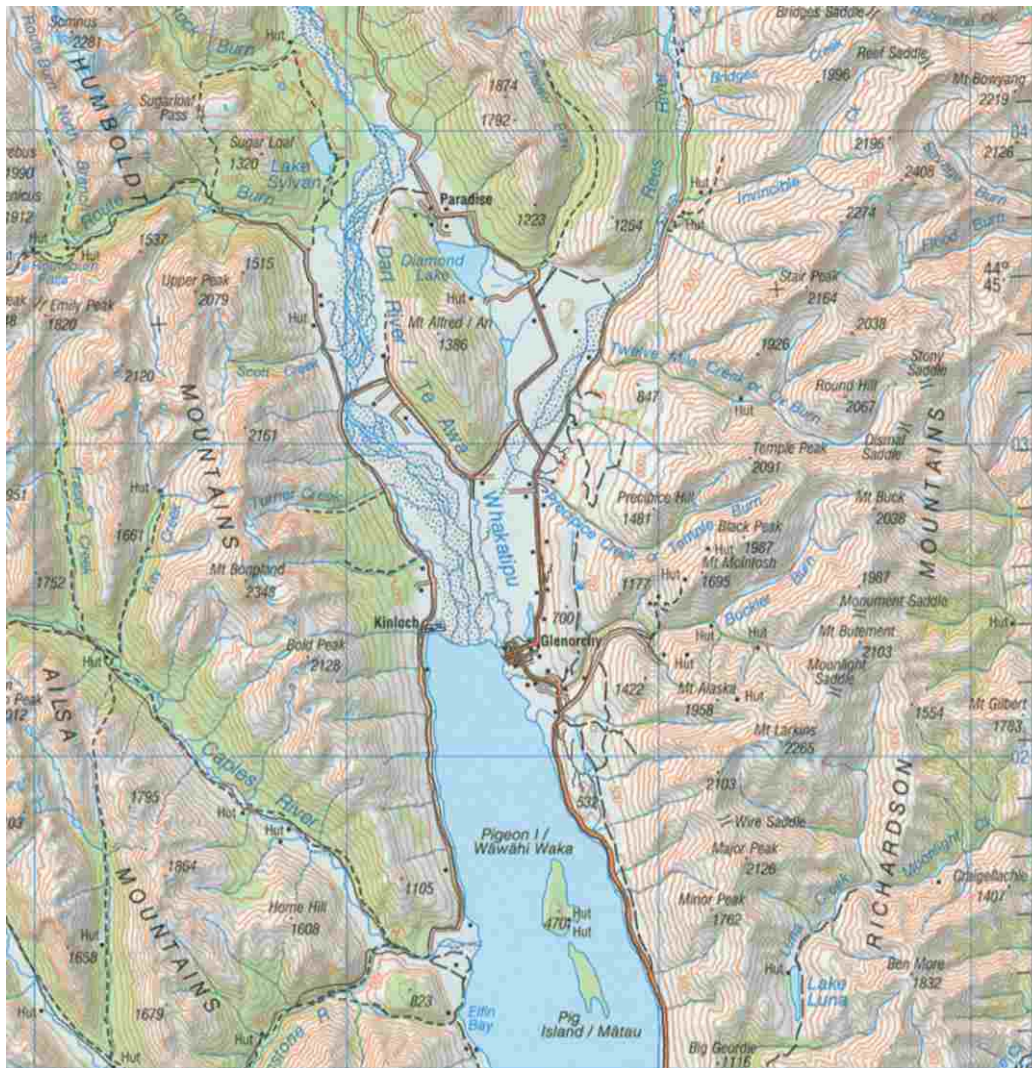


**Fig 52:** Proposed Shotover River ONF boundaries

- 4.9.4 As with the Kawarau River, I consider that the full length of the Shotover River through the ONL(DW) should be considered to be an ONF, but consider mapping it to be problematic. I consider that it should be defined as an ONF in the plan and that the extent of the ONF should be defined as extending from the top of the river escarpment on one side of the river to the top on the other side. The area in which this could be problematic would be in the middle reaches where the river bisects Branches Station. Here the feature, which is braided through most of this area, could be defined as extending from the top of the river bank on one side to the top of the river bank on the other, or to the landward side of the marginal strip, whichever is the further from the watercourse. This would mean that in locations where the river has eroded the marginal strip away, the intrusion of the feature into the surrounding land would be limited to the active water course. Where the marginal strips remain intact only public land would be included within the feature.



## 5.0 Glenorchy and its Environs



**Fig 53:** Glenorchy and the head of Lake Wakatipu

- 5.1 The Glenorchy area is generally accepted to be appropriately classified as part of the Outstanding Natural Landscape (District Wide). The valley floors in this area are significantly modified by agricultural development and exhibit features of the Visual Amenity Landscape. The mountains and rivers, however, are such dominating features of the vicinity that, as with the Fern Burn Valley and Paddock Bay flats in Wanaka, the mountain context cannot be separated from the valleys. Consequently the entire area is considered to be within the Outstanding Natural Landscape (District Wide).
- 5.2 A number of features exist in the Glenorchy area which could be considered to be of sufficient quality and significance to be identified as Outstanding Natural Features. That they have not been so identified in the past is most likely due to the lesser level of development pressure which exists in this part of the District. It is the case, however, that a

number of features in the area are listed as protected in the District Plan<sup>27</sup> and are thus offered an additional level of protection (on top of their location within an ONL) by S13 of the District Plan. These are the hillocks adjacent to the Dart River Bridge; the face of Bible Terrace to the south of Glenorchy; and the cliff face to the east of Diamond Lake. This latter one appears to be located within the Mount Aspiring National Park. In addition to these I would consider that Mount Alfred, Lake Diamond, the Dart and Rees Rivers and Pig and Pigeon Islands to be candidates for classification as Outstanding Natural Features.

### 5.3 Mount Alfred

5.3.1 Mount Alfred is a large roche moutonee located at the mouth of the Dart River Valley. It is approximately 9.7km in length and rises to 1386m. It is partially clad with beech forest, and partially with regenerating forest and areas of tussock grassland. The largest area of beech forest is on land managed by the Department of Conservation. The majority of the mountain forms a part of Earnslaw Station and is grazed by cattle which are moved up and down the mountain on a seasonal basis. The mountain has high aesthetic appeal from all directions and is highly memorable. It is highly legible as a glacial landscape feature. It is high enough to be capped with snow in the winter giving it seasonal interest. Scheelite was mined on it at its northern tip and relics of the mine are a protected feature in the District Plan.

5.3.2 I consider that Mount Alfred is both discrete enough and significant enough to warrant classification as an ONF in the terms of the District Plan.

### 5.4 Diamond Lake

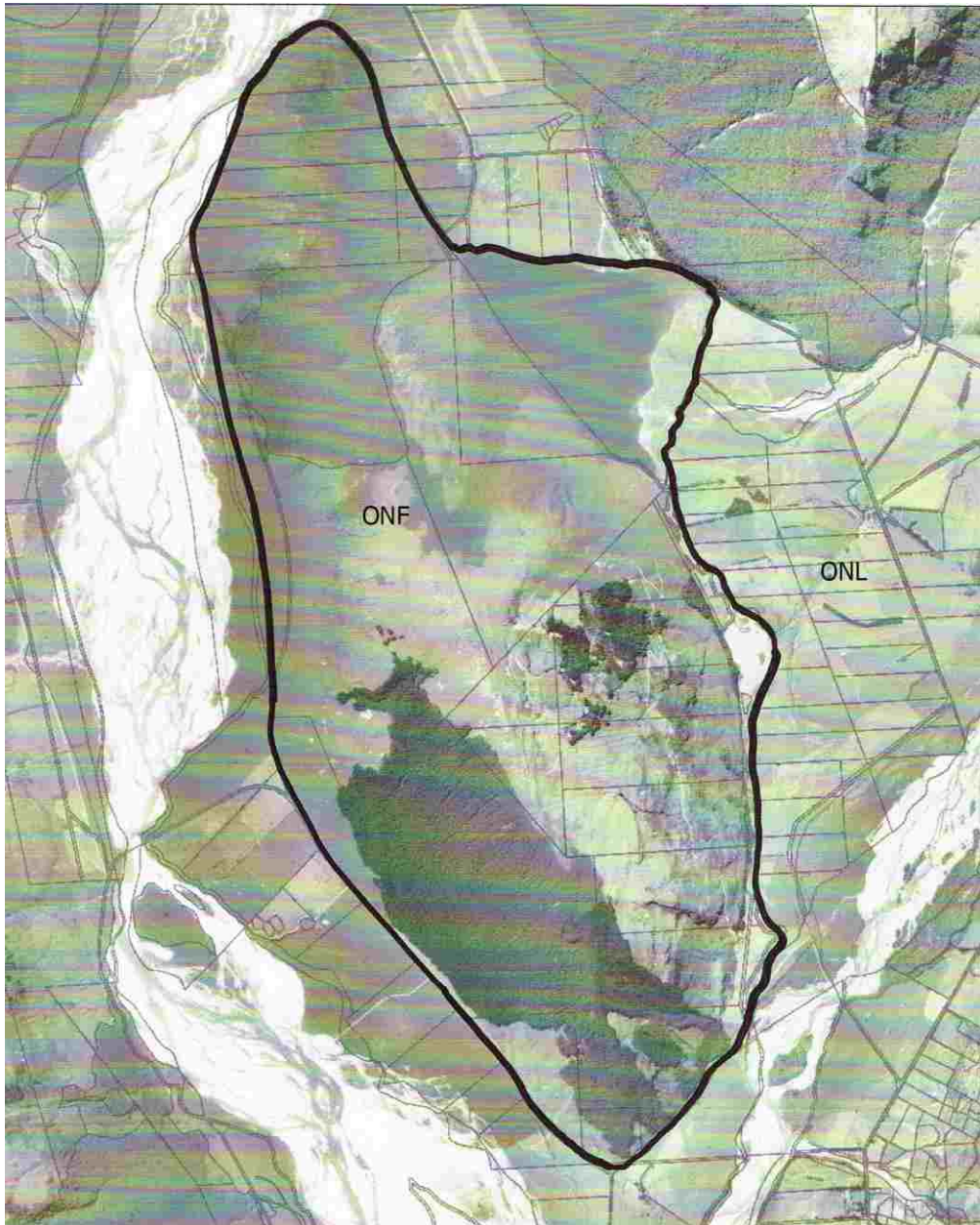
5.4.1 Diamond Lake is a small triangular shaped lake located hard up against the eastern flank of Mount Alfred. At some point in the past the Dart River ran to the east of Mount Alfred. Outwash deposits from the River Jordon and other un-named creeks to its north combined with further deposits from the Earnslaw Burn and Rees River blocked this route and subsequently the River Jordon and the Earnslaw Burn have pooled against Mount Alfred draining along its flank to further create the much smaller Lake Reid and then on to join the Rees River at the southern tip of the mountain. The lake has high aesthetic qualities and forms, in different views, the foreground to Mount Alfred, Mount Earnslaw and to more distant peaks of the Humboldt Mountains. Its legibility is limited, being most obvious in aerial photographs and maps. It has high transient values, being noted for its wildlife. Diamond Lake and Reid Lake along with Diamond Creek are Wildlife Management Reserve established in 1981 in recognition of their wildlife and fisheries value.

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<sup>27</sup> QLDC District Plan Appendix A3, P A3-2



5.4.2 I consider that Diamond Lake, Lake Reid and Diamond Creek are both discrete and significant enough to warrant classification as an ONF in the terms of the District Plan. The combined Mount Alfred – Diamond Lake ONF is illustrated in Fig 54 below.



**Fig 54:** Mount Alfred / Diamond Lake ONF

## 5.5 Pig and Pigeon Islands

5.5.1 Pig and Pigeon Islands are located in Lake Wakatipu in its northern reaches. The islands are twin peaks of a drowned roche moutonnee. A significant forest remnant is present on the island. Because of the warming effect of the lake Pigeon Island this includes an established population of kahikatea, miro and matai along with beech. Forest is regenerating over much of the island, much spontaneously but also assisted by voluntary revegetation. Buff weka

have been released on the island and have established a colony. The vegetation of Pig Island is more modified than that of Pigeon Island but revegetation work has now moved to that island and increasing natural character will ensue. The islands are memorable being the only significant islands within the lake. They have become a significant focus for adventure tourism based in Glenorchy.

5.5.2 I consider that Pig and Pigeon Islands are both significant enough features to warrant classification as ONFs in the terms of the District Plan.

5.6 I note that S4.2.5(5)(a) lists Camp Hill and the Hillocks as ONFs. Both of these features are located within the Glenorchy area.

5.6.1 Camp Hill is a small roche moutonee located to the south of Mount Earnslaw. Its southern and south eastern slopes are clad with indigenous vegetation and an extensive revegetation project is underway to supplement this. In addition a historical arboretum exists on the property. The majority of the hill is located on the adjacent Mount Earnslaw station and is open farmland with some remnant grey shrubland species dotted across the landform. In my opinion the landform is too modified to warrant being considered to be an ONF.

5.6.2 The Hillocks is a kame field located to the east of the Dart River bridge. The Geological Society of New Zealand classifies this field as an 'excellent example' of such a feature of national importance<sup>28</sup>. The hillocks are notable features, some of which are readily observed from the road. They extend over an area of approximately 110ha, however, and it is my opinion that this makes them too indistinct, in totality, to be classified as an ONF.

## **6.0 MAJOR RIVERS OUTSIDE OF THE UPPER CLUTHA AND WAKATIPU BASINS**

6.1 There are a number of major rivers within the District which are not contained within the Upper Clutha or Wakatipu Basins. These are, in addition to the Kawarau and Shotover Rivers discussed above:

- Matukituki
- Makarora
- Hunter
- Greenstone
- Routeburn
- Dart
- Rees
- Von
- Lochy

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<sup>28</sup> op cite P 27



- 6.2 All of these rivers are significant features within the landscape. Those associated with Lake Wakatipu receive varying levels of protection under the Water Conservation (Kawarau) Order (1997). The deltas of the Makarora and Dart Rivers are listed by the Geological Society of New Zealand as sites of regional significance<sup>29</sup>. It is my opinion that all of these rivers warrant the status of Outstanding Natural Features on the basis of their significance within the landscape and their natural character. I do not consider that it is feasible to easily map them, however, and consider that they could be identified in the District Plan in a manner similar to that proposed for the Kawarau and Shotover Rivers. That is, that the outstanding natural feature of the river should extend from the top of the river bank or terrace on one side to the top on the other side, or from the landward boundary of public land such as a marginal strip to a similar location on the other side, whichever is greater. As with the Shotover and Kawarau this would provide the river and its margins with protection under the Plan and the Act but would not impinge overly on any private property.

## **7.0 CONCLUSION AND RECOMMENDATIONS**

- 7.1 Based on a combination of fieldwork, desktop analysis and drawing on other relevant work and Environment Court decisions a number of landscapes and features have been identified as warranting classification as Outstanding Natural Landscapes or Outstanding Natural Features within the District Plan in addition to those already so defined. These are: Mount Iron; the Clutha River corridor; the Hawea River corridor; the terrace system at the confluence of the Clutha, Hawea and Cardrona Rivers; Mount Barker; the northern portion of Sticky Forest; the islands of Lake Wanaka, Lake Hawea and Lake Wakatipu; the Shotover River corridor; Mount Alfred and Lake Diamond. In addition, the appropriate location of a number of boundaries between Outstanding Natural Landscapes and Features which had already been identified have been refined. Revised maps of the Upper Clutha and Wakatipu areas are appended to indicate these new boundaries, landscapes and features.
- 7.3 The description of Visual Amenity Landscapes incorporated in the District Plan is based on the landscape of the Wakatipu Basin and does not reflect the character of the Upper Clutha landscape. It is recommended that consideration be given to developing a set of objectives, policies and assessment matters which are based on that area's landscape character so as to better manage landscape change in that area.
- 7.4 The appropriate landscape classification of the Frankton Arm of Lake Wakatipu has long been a source of confusion, it having been determined to be within all of the categories listed in the District Plan at different times. The character of this part of Lake Wakatipu differs from the rest of the lake in that it derives from the development surrounding it and its

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<sup>29</sup> op cite P 22 & P 33

role as a site for boating activities. As a consequence it is recommended that an overlay be developed to apply to the Frankton Arm which would remove the necessity for its landscape classification. This overlay would have its own objectives and policies, most likely aimed at facilitating the use of the arm for lacustrine activities.

- 7.5 The area of the Wakatipu Basin known as the Hawthorn Triangle and designated as Other Rural Landscape carries a development capacity approximating that of the Rural Lifestyle zone. As it is not a landscape, per se, it is considered that this classification in this location threatens the integrity of the Rural General zone. It is recommended that this area of the Basin be rezoned Rural Lifestyle in order to remove this threat.

Marion Read  
Principal  
Read Landscapes

## **Appendix C**

*Report to Queenstown Lakes District Council on appropriate landscape classification boundaries  
within the District, with particular reference to Outstanding Natural Landscapes and Features:  
Post review amendments (16 October 2014)*



**Report to Queenstown Lakes District Council on  
appropriate landscape classification  
boundaries within the District, with particular  
reference to Outstanding Natural Landscapes  
and Features: Post review amendments**

**Marion Read  
Principal  
Read Landscapes  
16<sup>th</sup> October 2014**



## **1.0 Introduction**

- 1.1 In April 2014 a report on the appropriate landscape classification boundaries within the District, with particular regard to the identification of the Outstanding Natural Landscapes and Features, was presented to Council. This report was peer reviewed by two experienced local Landscape Architects. Ben Espie of Vivian + Espie reviewed the report in regard to the Wakatipu Basin. Anne Steven of Anne Steven Landscape Architect reviewed the report in regard to the Upper Clutha Basin.
- 1.3 This report aims to update the original in regard to the recommendations made by the two peer reviewers. It does not necessarily adopt all of the recommendations of the reviewers but when it does not, reasons will be given.

## **2.0 Queenstown and the Wakatipu Basin**

### **2.1 Kawarau River Corridor**

- 2.1.1 Mr Espie fundamentally agrees with the original report that the Kawarau River corridor should be included within the ONF/ONL(Wakatipu Basin). He considers that the part of the riverbank which is zoned Remarkables Park Activity Area 2a should be excluded as it is zoned for public recreational space and includes the expectation of a jetty and ticketing facility. I consider that his argument is sound from the point of view of landscape management and have amended the maps accordingly.

### **2.2 Frankton Arm**

- 2.2.1 Mr Espie opines that while the Frankton Arm could have its own objectives and policies to reflect the lacustrine character of that area that it should remain zoned Rural General and a part of the ONL of the lake. While I agree that the arm does contribute to the wider landscape character and quality of Kelvin Heights and Goldfield Heights I do not consider that removing its Rural General status would threaten this, particularly if objectives and policies regarding its specific management were developed. Consequently I continue to consider that a subzone or overlay with no landscape classification would be the appropriate method of managing its use.
- 2.2.2 Mr Espie is correct that the maps are incorrect with regard to the location of the boundary of the Town Centre Waterfront Zone. He opines that, consistent with his position on the Frankton Arm, that the landscape classification of ONL District Wide should apply to all of the

Bay including the area contained within the Town Centre Waterfront Zone. I disagree, but acknowledge that his approach is a valid alternative. I have amended the maps to correctly indicate the boundary of the Town Centre Waterfront Zone.

- 2.2.3 Mr Espie continues to consider that Queenstown Bay and the Frankton Arm should be managed together under some sort of planning overlay. While I do not disagree with this approach I consider that the area which he has identified in his Appendix 2, which extends from Kelvin Peninsula to Sunshine Bay, is rather too expansive, would considerable increase the area of lake surface to be so managed in the environs of Queenstown. In my opinion this represents a change of such significance that it should only be implemented following a thorough investigation as to the possible effects.

## 2.3 Queenstown Township and Environs

- 2.3.1 In Paragraph 24 Mr Espie notes that the maps show the entire course of One Mile Creek as being ONL Wakatipu Basin. He notes that the lower gorge includes a car park and an un-zoned legal road which have been included within the ONL on the maps and considers that they should be removed. As the lake and its margins are of a different classification (ONL(DW)) from the higher areas I see nothing to be gained by connecting them and agree that the road corridors should be removed. I have amended the maps to reflect this.

## 2.4 Ferry Hill / Shotover River

- 2.4.1 Mr Espie opines, in paragraph 26, that it appears that the boundary of the ONL was intended to follow the edge of the Residential Activity Areas of the Quail Rise Zone. This is correct and I adopt the location of the line adjacent to Quail Rise which he proposes. I do not agree with its location to the south of the Quail Rise Zone and continue to consider that the boundary between the Frankton Flats and the ONL of Ferry Hill is correctly located. With regard to the boundary to the east of Hansen Road (and the north of Ferry Hill) this was discussed, but not determined, in the recent Environment Court decision (C177/2014). The decision favoured the view that the boundary should follow the boundary of the Rural Lifestyle Zone, and I have redrawn the location on the maps to reflect this.

## 2.5 Hawthorn Triangle

- 2.5.1 Mr Espie is correct that the Environment Court heard expert landscape analysis of the area in the Hawthorn Triangle case. It is also the case that the Court did not determine the location

of the boundaries of this area and consequently it remains a matter of fact to be determined by expert analysis.

- 2.5.2 I continue to disagree with Mr Espie as to the correct location of the ORL boundary to the east of the Triangle. I do note, however, that this area which Mr Espie considers to be ORL is subject to possible plan changes which would remove it from the Rural General Zone. I consider that rezoning this area is a better way of managing the ongoing effects on the landscape quality and character in this vicinity than landscape classifications. Consequently I have not amended the maps to include the areas of lower Slope Hill within the ORL.

### **3.0 Upper Clutha Basin**

#### **3.1 Mount Iron**

- 3.1.1 Ms Steven opines that while Mount Iron is correctly classified as an ONF the location of the boundaries requires 'tweaking'. While moving the south eastern boundary to coincide with the cadastral boundary of the Department of Conservation reserve as she proposes extends it away from the margin of the actual feature I agree that, from a management point of view, this makes sense. Ms Steven also considers that the extension of the boundary to follow the cadastral boundaries in the north western corner of the feature creating a penetration into residential development should be excluded because it is not experienced as a part of Mount Iron. While I agree to an extent, it is the case that the residential development in its vicinity, while developed to Low Density Residential standards is largely located on land zoned Rural General. It is also the case that this development is on the feature of Mount Iron. I consider that rezoning this area Low Density Residential would be an appropriate action. Unless this is undertaken I continue to consider that the boundary of the feature should remain along the cadastral boundary. I have modified the maps to reflect Ms Steven's location in the south east.

#### **3.2 Outlet Area**

- 3.2.1 Ms Steven notes that she is in general agreement with the location of the boundaries in the vicinity of the Outlet. She states, however, that the line to the east of the Outlet Road 'lies behind the crest of the ridge form somewhat and includes mainly modified areas including a residential complex and numerous pine trees'. The location of this line was determined during the assessment of the North Lake Plan Change application. It is actually located along the summit of the ridge. It does incorporate numerous pine trees, but it is anticipated that these will be felled as a consequence of the plan change on the adjacent land. The location

of this line was agreed upon by myself and Mr Paddy Baxter, who was the landscape architect working for the applicant in that case, and its location was subsequently accepted by the Commissioners who heard the plan change application. I continue to consider that the boundary is correctly located in this instance.

3.2.2 While Ms Steven agrees that the Open Space Area of Peninsula Bay should be included within the ONL, and a significant portion of the 'Sticky Forest' block, she disagrees with the location of the line through the forest originally proposed. I consider that her justification for locating the line through the forest block along the local high point is appropriate and consider that the location of the line should be amended accordingly.

3.2.3 Ms Steven opines that the line delineating the ONL and VAL to the north of the river was incorrectly located by the Environment Court in C14/2007. She considers that areas of grey shrubland and short tussock grassland on the top of the escarpment should be included, in part because of its status as an acutely threatened environment. While I have sympathy for this argument, I consider this to be too baldly ecological in its basis to justify inclusion within a landscape classification. It may be that these areas warrant protection as significant natural areas but I consider that they are part of a separate landscape to that of the river corridor and consequently continue to consider that this boundary is correctly located.

3.2.4 I do agree with Ms Steven's recommendation that the western wall of the Dublin Bay meltwater channel and its outwash terraces be included within the ONL. These are outstanding areas for the legibility of their physical origins; for their openness and expansiveness; and for their high natural character. I consider that the location of the boundary of the VAL should be amended accordingly.

### 3.3 Hawea River Corridor

3.3.1 Ms Steven opines that the Hawea River, north of Newcastle Road, does not warrant the classification of Outstanding Natural Feature because of the scale of the feature; the lifestyle and farming developments on its banks; and the human control of its flows. She considers that S6A of the RMA91 is a more appropriate provision under which its management should be taken. I concede that all of these points have some validity. Consequently I have amended the maps accordingly.

3.3.2 Ms Steven considers that the Hawea Terminal Moraine scarp should be identified as an Outstanding Natural Feature for its clarity, and visual prominence. I accept her argument



regarding its outstanding quality, but consider it to be a part of the Outstanding Natural Landscape of the Hawea / Clutha confluence. I have amended the maps accordingly.

3.3.3 Ms Steven considers that Camp Hill adjacent to the Hawea River should be identified as an Outstanding Natural Feature as it is a distinctive hard rock island within the Hawea basin floor and it is clad with dense kanuka-grey shrubland vegetation. I agree with her argument and have amended the maps accordingly.

3.3.4 Ms Steven considers that Speargrass Creek Hill should also be identified as an Outstanding Natural Feature. While this hill is a rather striking feature when viewed from SH6 I do not consider that it is distinctive enough to warrant the appellation, being clad, in the main, with pasture and connected to a more extensive and unexceptional ridgeline.

### 3.4 Clutha River Corridor

3.4.1 Ms Steven agrees that the Clutha River corridor is a landscape feature with high legibility, significant native vegetation communities, and high aesthetic values. She does not agree that it should be considered to be an Outstanding Natural Feature, claiming it to be, rather, and Outstanding Natural Landscape. The Oxford Compact Dictionary defines a feature as 'a distinctive or characteristic part of a thing'<sup>1</sup>. I consider that the river corridor is a distinctive part of the glacial and fluvial landscape of the Upper Clutha Basin and continue to consider it correctly identified as an Outstanding Natural Feature.

3.4.2 Ms Steven notes that I have followed the very edge of the enclosing scarp in the location of the boundary line between the landscape of the river corridor and that of the enclosing terraces. She opines that the indigenous dominated grasslands along the fringes of the corridor should also be included. As with the areas discussed above in paragraph 3.2.3 I consider that while these vegetation communities may indeed warrant protection this should be achieved under another mechanism.

3.4.3 Ms Steven considers that, regardless of whether the broader categorisation is ONL or ONF, the Cooper land with its pivot irrigator should be excluded. While I agree that it does not, superficially, have the characteristics which would normally qualify it as belonging to one of these categories, I have adopted Mr Denney's assessment. In any case there is no requirement that the quality of a landscape need be entirely consistent in order to justify its categorisation as ONL or ONF. It is my observation that many landscapes so categorised contain areas which are domesticated and which would, if they were more extensive, form

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<sup>1</sup> Oxford Compact Dictionary. (1996). Oxford University Press: Oxford. P337.

landscapes of lesser quality in their own right. The Cooper land is entirely surrounded by landscape which Ms Steven and I agree to be outstanding, and in my opinion its inclusion within the category is appropriate. Of some relevance to this opinion are the Environment Court Decisions C3/2002 and C73/2002. In the C3/2002 the Court made the point that the RMA91 requires discussion to be focused on landscapes and features and not on landscape units or other, smaller fragments. In the C73/2002 decision the Court attempted to determine the minimum area which could be described as a 'landscape'. Their formula would indicate that this area is not large enough to be a landscape in its own right.

- 3.4.4 With regard to Luggate, I consider that Ms Steven's comment that development of the land east of Luggate for dairy stock is accurate. Consequently I adopt her line east of Luggate and have amended the maps accordingly.

3.5 Mount Brown / Maungawera Valley

- 3.5.1 With regard to the north eastern side of Mount Brown, I find Ms Steven's argument that it is not sufficiently natural in character or exceptional enough to warrant being classified as an ONL compelling. In addition, it is quite distinct in character from the north western slopes which have a strong relationship with the Lake. Consequently I adopt Ms Steven's line in this vicinity and I have amended the maps accordingly.

- 3.5.2 Ms Steven opines that the lower hills to the south of the east branch of Quartz Creek, and on the northern side of the Maungawera Valley should be excluded from the ONL. While I acknowledge that they are more modified than the mountains behind them, I remain of the opinion that they are more like those mountains in character and naturalness than the valley floor. I also continue to consider that the inclusion of a part of Quartz Creek itself within the ONL is appropriate given its high natural character; high expressiveness and legibility; and the presence within its margins of dense indigenous vegetation.

3.6 Lake Hawea – Mount Grand

- 3.6.1 Ms Steven opines that the full extent of the terminal moraine along the southern margin of Lake Hawea is not of sufficient quality to warrant ONL status, preferring only to include the lakeward side with the ONL of the Lake. In actual fact, the locations of the two lines are not particularly divergent. Ms Steven has included a small hill to the south of Gladstone and I consider that its inclusion is consistent. Consequently I adopt Ms Steven's line in this regard and have amended the maps accordingly.

3.6.2 With regard to the location of the boundary between Hawea Flat and the ONL of Mount Grand, Ms Steven's and my lines diverge only in minor ways except for in the vicinity of Hospital Creek. I continue to consider that the Hospital Creek outwash fan is too indistinct a feature and too modified by agricultural and other activities to be a part of the ONL. I continue to consider that its character and quality are entirely similar to those of the VAL of the Hawea basin.

3.6.3 Our lines again diverge in the vicinity of Lagoon Creek. This is probably the most difficult area in which to reconcile the different approaches which we have taken. Ms Steven considers that the lower hills, Trig Hill, Ram Hill and Lindis Peak, which are located to the south of Bluenose, Great Rock and Grandview Mountain, should be excluded from the ONL. She argues that they are not distinctive enough or of high enough quality to be considered part of the ONL and makes the point that the district wide landscape assessment undertaken for Central Otago District Council excluded them from the ONL on their side of the district boundaries. Further, in discussion, she also noted that the tenure review reports for Glenfoyle Station do not attribute significance to the landscape of this area. That having been said, the basis of this mapping activity has been to match like with like, rather than to undertake an assessment from first principles. On this basis I still consider that these hills are more similar in character and quality to those further north around Mount Grandview than to the floor of the basin. Consequently I continue to consider that this area should be included within the Outstanding Natural Landscape.

3.6.4 Ms Steven, while excluding the mountains from the ONL wishes to include the Glenfoyle Terrace Scarps as ONF. I consider that her reasoning for this is sound and I have amended the maps accordingly.

### 3.7 North end of the Pisa and Criffel Ranges

3.7.1 Ms Steven agrees that a portion of the lower slopes of the Pisa Range adjacent to SH6 should be assessed as ONL. She considers, however, that a large portion of the middle slopes, which I do understand to be significantly modified, should be excluded. Again she matches her boundary to that of Central Otago. It is the case, however, that a significant portion of this area was confirmed as ONL in the Bald Developments decision of the Environment Court (C55 / 2009). In that case the Landscape Architects (other than the applicant's) were agreed that the entire face of the Pisa Range was correctly categorised as ONL. Further, it concerns an area almost entirely surrounded by land which we agree to be ONL which is similar to the situation regarding the Cooper land adjacent to the Clutha / Hawea confluence. Just because a portion of an area does not have the qualities of an ONL does not mean that it is not within

an ONL. Further, the area which Ms Steven does consider to be ONL adjacent to the road is, in my opinion, too small to be a landscape and is more aptly described as a complex of rock outcrops and indigenous vegetation. Consequently I do not accept Ms Steven's position and consider the location of the line delineating the ONL should remain as located.

#### **4.0 Conclusion**

- 4.1 This report summarises the responses to my original report and proposed maps of Outstanding Natural Landscapes and Features within the Queenstown Lakes District provide by Mr Ben Espie of Vivian+Espie and Ms Anne Steven of Anne Steven Landscape Architect. Both of these practitioners have extensive experience working within the landscape of the District.
- 4.2 As a consequence of these reviews the original maps have been modified. This has been done on the basis of the practitioner input but has remained an exercise of matching like with like. It is not a landscape assessment from first principles, and the results might have been different had this been the brief.
- 4.3 That having been said, it is considered that the final delineations are robust and provide a consistent and thorough mapping of the District.

#### **Read Landscapes**



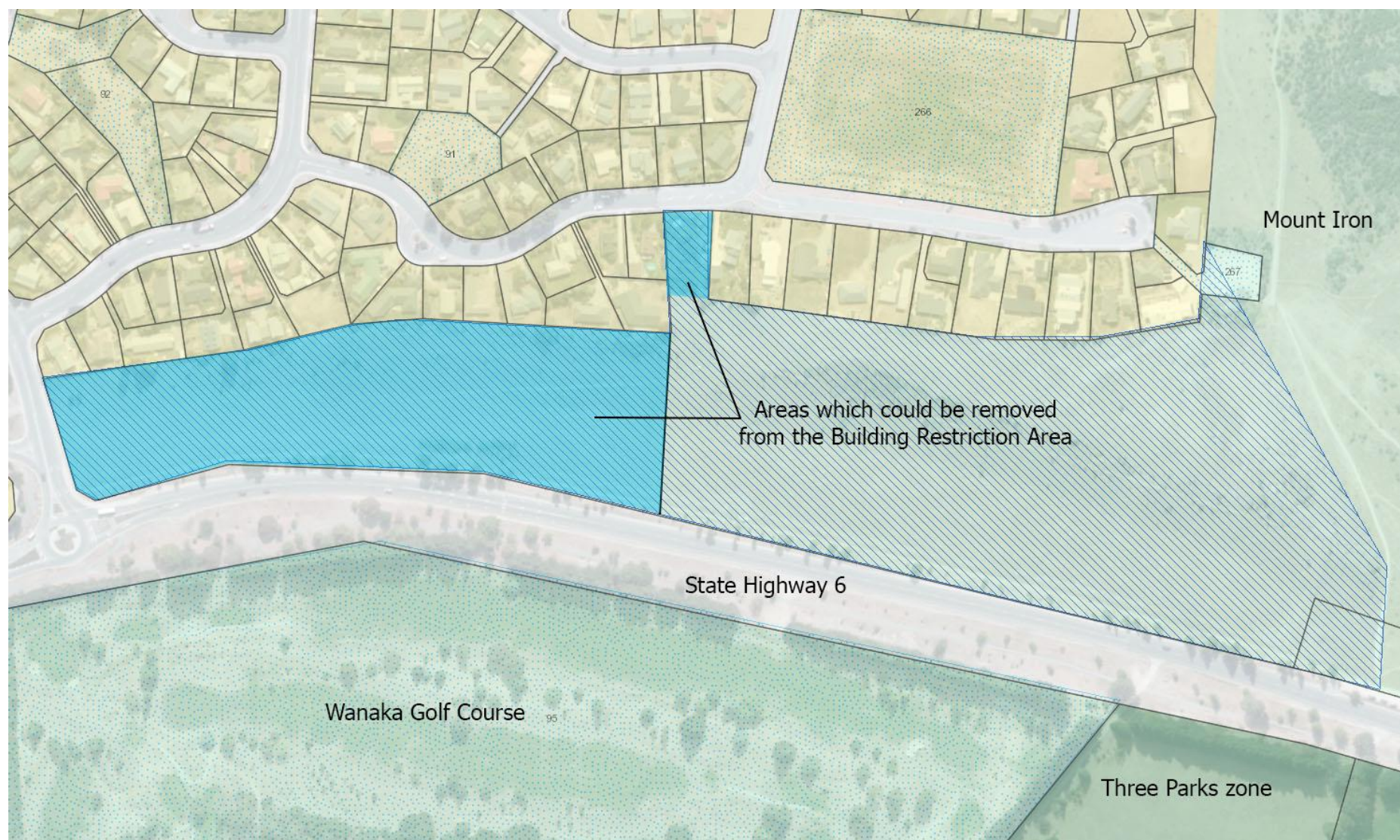
**Marion Read**

**Principal**



## **Appendix D**

### *Wanaka Building Restriction Area*



Wanaka BRA showing areas which could be removed.