

Before the Queenstown Lakes District Council Hearing Panel

Under the Resource Management Act 1991

In the matter of the renotification of two submissions on Stage 1 of the Queenstown Lakes Proposed District Plan concerning the zoning of land at Arthur's Point by Gertrude's Saddlery Limited and Larchmont Enterprises Limited

Statement of Evidence of Yvonne Pflüger on behalf of Gertrude's Saddlery Limited and Larchmont Enterprises Limited

15 November 2022

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**anderson
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Qualifications and Experience

- 1 My name is Yvonne Pflüger. I am employed as a Landscape Planner at Boffa Miskell Limited (**BML**), an environmental consultancy specialising in planning, design and ecology. I have been employed at BML for seventeen years and am an Associate Partner in the company.
- 2 I hold a Masters degree in Landscape Planning from BOKU University, Vienna (Austria, 2001) and a Masters degree in Natural Resources Management and Ecological Engineering from Lincoln University (NZ, 2005). I am a Full Member of the Resource Management Law Association and a registered member of the New Zealand Institute of Landscape Architects, as well as a Certified Environmental Practitioner under the Environment Institute of Australia and New Zealand.
- 3 I have practised as a landscape planner for over 20 years on a wide range of projects including environmental and visual effects assessments, nature conservation and river restoration, and recreation planning. As part of my professional career in Austria, I have been involved as a project co-ordinator in several projects funded by the European Union, which involved the preparation of management plans for designated protected areas.
- 4 During my time at Boffa Miskell I have played a key role in preparing several landscape studies for various territorial authorities throughout New Zealand's South Island, including studies for Banks Peninsula, the Southland Coast, the Te Anau Basin, which included the assessment of the landscape's capacity to absorb future development. I was the project manager and key author of the Canterbury Regional Landscape Study Review (2010) and Ashburton, Invercargill, Hurunui and Christchurch District landscape studies (2009-2015). Over the past years I also prepared landscape studies for Waimate, Kaikoura and Timaru Districts and the Southland Region. The preparation of the above-mentioned studies involved evaluating landscape character and quality for these regions and districts and advising councils on objectives and policies for the ongoing management of the landscape.
- 5 I have also prepared a large number of landscape and visual assessments for development projects of varying scales within sensitive environments, including preparation of landscape evidence for Council and Environment Court hearings. Relevant projects I was involved in within the Queenstown Lakes District included Treble Cone gondola, Parkins Bay resort and golf

course, the Queenstown airport runway extension and several consent applications for private rural subdivisions, including the Treespace project on Mt Dewar Station near Arthurs Point. In addition, I have provided a number of peer reviews for QLDC and the EPA for development applications within the district.

- 6 I have also provided expert landscape and visual effects evidence on a range of land uses for district, regional and Environment Court hearings. Recently I provided landscape evidence at the PC 44 hearing for Jack Point/ Hanley Downs and have prepared the landscape assessments for a number of submitters for the QLDC Plan Review, most notably the submissions for Jacks Point/ Hanley Downs and The Hills. I also presented evidence on landscape related issues within Chapter 21 Rural and Chapter 22 Rural Residential and Rural Lifestyle of the Proposed District Plan ("PDP"), as well as for the Wakatipu Basin variation on behalf of several submitters/ appellants.

Code of Conduct for Expert Witnesses

- 7 I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2014 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Background

- 8 While I was not involved in the Council hearing of Gertrude Saddlery's Stage 1 PDP submission (#494) and Larchmont Enterprises Limited (#527), I have been asked to provide evidence on behalf of these Submitters in relation to the masterplan that BML prepared following the Council hearing.
- 9 Following the previous Council decision, Gertrude Saddlery, chose to take a design-led approach on their Site at Arthurs Point and engaged BML to assist with the preparation of a masterplan that takes the sensitivities of the underlying terrain and surrounding landscape into account, while exploring opportunities to better enhance associated community benefits such as through trail access, open space, and native revegetation opportunities. I understand that at the previous hearing Low Density Residential Zone (**LDRZ**) was sought for the entire Site which would have theoretically

enabled approximately 89 dwellings to be erected within the zone that was recommended by the Independent Hearings Panel and adopted by Council. Given the topography of the Site the actual number of dwellings to be accommodated in LDRZ zoning would, however, most likely have been lower.

- 10 The revised relief now sought by the Submitters is for the Site to be zoned LDRZ within a small central part of the Site adjacent to the existing operative LDRZ and Large Lot Residential B (**LLRZ**) zoning around the periphery of the Site. For the LLR Zone, a structure plan with identified building platforms, building restriction and revegetation areas, is proposed. The rezoning seeks to achieve approximately ten lots of LDRZ and 17 lots within LLRZ which are specifically sited with individual design controls. The entire area covered in the masterplan, including both the Gertrude Saddlery and Larchmont Enterprises Ltd (**LEL**)/ Murphy owned land, are referred to as the 'Site' throughout my evidence.
- 11 For the preparation of the masterplan, my colleagues and I have visited the Site and surrounding area four times between March and October 2022. This included a walk over of the proposed building platforms and trails (before and after tree felling), as well as visits to the viewpoints shown on **Figure 6** of the graphic attachment (prepared by BML). Most recently, I visited the area with the profile poles erected in the proposed building platform locations, following the extensive removal of mature wilding trees. The photos included in Mr Espie's graphic attachment were taken by a colleague with a Canon Eos 6D SLR camera with GPS on 13 October 2022, when profile poles were erected, but not all trees removed. **Figure 4** of the graphic attachment shows the locations of poles that were erected for each proposed dwelling (colour-coded as per plan for easier identification in model exports).

Scope of Evidence

- 12 I have prepared this evidence in relation to the masterplanning for the proposed LDRZ and LLR re-zoning request. As part of my evidence I provide the design rationale and background to the proposed masterplan for the Site. This includes commentary around the proposed lot layout, building platform location, planting and design controls.
- 13 BML has also prepared a 3D model of the proposal based on the underlying existing terrain, potential buildings and proposed planting. As part of my

evidence I will provide the assumptions made for the preparation of the model and the accompanying visual simulations that are included in the graphic attachment.

- 14 Mr Espie's evidence addresses the landscape and visual effects of the proposal, as well as issues relating to the adjacent Outstanding Natural Feature/ Landscape. I have been asked by the Submitters to peer-review his evidence and I include this review as a separate section of my evidence.
- 15 In preparing this evidence, I have reviewed the following reports and statements:
 - (a) Landscape evidence of Ms Helen Mellsop for QLDC;
 - (b) Landscape evidence of Mr Ben Espie for the Submitters;
 - (c) Planning evidence of Mr Jeff Brown for the Submitters;
 - (d) QLDC's Priority Area Schedules 21.22.3 Kimiākau (Shotover River) ONF and 21.22.12 Western Whakatipu Basin ONL.

Master Planning Approach

- 16 BML have prepared a masterplan that would be intended to become a 'structure plan' within Chapter 27 of the PDP, and that would facilitate and guide development of the Site, while ensuring that landscape character and amenity values are maintained or enhanced. In this section of my evidence I will describe the factors and considerations that have informed the design of the structure plan and the outcomes it will achieve.
- 17 While LDRZ is proposed in the central part of the Site, LLR zoning with larger lots and lower development density is proposed along the periphery. For these LLR lots, the following controls are proposed on future development, as a design-led response to the character and values of the Site, and adjacent Shotover River Gorge:
 - (a) Lower dwelling density with a minimum lot size of 2,000m²;
 - (b) Building location with identified building platforms;
 - (c) Building footprint limited to 500m²;

- (d) Building height – 7m maximum height above a Relative Level (RL) individually identified for each building platform;
 - (e) Building colours and materials – exterior surfaces must be browns, greens or greys with limits on light reflectance values;
 - (f) Native planting areas around the outer edge of the Site to provide visual mitigation and a buffer to the adjacent ONF, and planting between lots as identified on the structure plan. These are required to be planted by lot owners prior to building on sites, and maintained on an ongoing basis alongside weed and pest management control.
- 18 The Site characteristics are described in detail in Mr Espie's evidence and I agree with his description of the existing environment (see also Section Peer Review).
- 19 In formulating the structure plan for the Site, BML have taken into account the need for buildings to be designed and located so that they do not compromise the character of the adjacent Shotover River ONF or impact adversely on the outlook from existing residences. The design ensures that buildings would be subservient to the surrounding natural landscape elements, with a sense of spaciousness maintained across the more visible parts of the Site due to the low density and the provision of extensive native planting areas that contribute to the landscape character and visual amenity values.
- 20 Additionally, we have taken account of the following specific landscape characteristics of the Site and its surrounding landscape context:
- (a) Location of Site adjacent to Arthurs Point urban area with existing LDR zone that extends across part of the Site;
 - (b) Existing low density of residential development adjacent to the river corridor on both sides of the Shotover Gorge;
 - (c) Landscape sensitivity of periphery of the Site which forms interface with the adjacent Shotover River ONF and lies adjacent to public conservation land;
 - (d) Visual sensitivity of the Site in relation to views from existing residences and public viewpoints along the western and southern part of Arthurs Point's (on the true left bank of the Shotover River);

- (e) Proximity to potential future walking and cycling connections from Arthurs Point to Queenstown and Tuckers Beach.

Building platforms and built form height

- 21 The proposed LDR Zone extension is located within an inward facing part of the Site where the visual effects are largely confined to a visual catchment that would already experience effects once the operative LDRZ is implemented. The identified LDRZ extension area is in a central part of the Site that is relatively flat, rather than sloping towards its perimeter. This area is visually less sensitive than the existing LDRZ which extends across a relatively high-lying, north-facing part of the Site with rocky outcrops. The buildings within the additional LDRZ would be seen in the backdrop of the future (approximately 12-15) buildings within the already zoned land, when viewed from the north. In views from south and east, elevated landform intervenes which confines the visual catchment to elevated viewpoints to the west (original Arthurs Point settlement on the western side of the Shotover River), as shown in the **visual simulation from VP 12**. The area proposed for LDRZ already contains two existing dwellings and associated structures (**see Photo VP4**). The zone extension could realistically accommodate up to 10 dwellings, once access is accounted for, which would result in eight additional buildings in this part of the site that could easily absorb the landscape and visual effects.

- 22 As part of the structure plan, building platforms (**BPs**) are identified on the LLR zoned lots. Any future buildings would be contained within the identified building platforms, which are 500m² in size on each lot. These identified areas would include residential and other buildings, swimming pools, tennis courts (defined as buildings), with a discretionary activity status for non-compliance. Other residential domestic elements outside of platforms shown are a restricted discretionary activity, with matters of discretion including landscape mitigation and visual effects. This means that the built form and associated domestication would be confined in specified areas with substantial areas of open space / revegetation in between buildings and nodes of domestication, since lots range in size from 2000-4000m². It is noted that Rule 11.5.6 requires that building facades within the LLRZ would be no longer than 20m, which would mean that the built form on these lots would be broken up into smaller components that can be appropriately micro-sited within the landform.

- 23 The locations of the identified 17 BPs in the LLR are all located in flatter areas that have a higher ability to absorb residential dwellings. This was confirmed through a specific site walk-over to check these locations on the ground. The outer lots along the periphery of the Site all include a flat, terraced area below the access road where buildings can be sensitively sited with a setback from the escarpment that forms the Shotover River ONF boundary. In my view, it is an important design consideration to avoid buildings lining the visually sensitive escarpment edge where they might be viewed from the gorge below or other low-lying viewpoints, such as residences along Watties Track or selected viewpoints on Gorge Road. Therefore, building platforms were set towards the back of flat areas where they can be cut into the terrain behind. This would be a similar development outcome to residential buildings on the western side of the Shotover River corridor along Watties Track where buildings are situated on relatively flat terraces. Existing buildings on the eastern side of the river, upstream of the Site, are less sensitively placed in relation to the landform.
- 24 The combination of locations for BPs that are set back on the flat part of the terraced landform, and the identification of a maximum relative building height that relates to the existing surrounding terrain, along with required structural planting, ensures that future buildings would not be visually prominent from the western side of the Shotover River. The RLs for the BPs were chosen based on the existing contours, ensuring that the buildings are either cut into the terrain or could be followed in a stepped built form to reach an overall height of no more than 7m above the identified RL for each lot.
- 25 The buildings within the LLRZ would be subject to restrictions on building materials and colours, as outlined in Rule 11.5.10¹. This will ensure that these buildings will be visually recessive to blend them into the landscape with the structural planting surrounding the platforms.
- 26 It is important to note that the most sensitive part of the landform, which is the high-lying knob (or summit of the "knoll") as referred to in Ms Mellisop's evidence, located to the south-west of the existing LRDZ, is proposed to be kept free of development to maintain the legibility of the landform and to

¹ a. all exterior surfaces shall be coloured in the range of black, browns, greens or greys;
b. pre-painted steel, and all roofs shall have a reflectance value not greater than 20%;
c. surface finishes shall have a reflectance value of not greater than 30%.

avoid any buildings breaking the skyline. While two existing concrete water tanks on the southern side of the knob have already impacted on the landform, we considered that the upper part of the landform needs to be maintained free of additional built form. The high-lying part of the landform has, therefore, been incorporated as open space into lots 34 and 35, but it would be an option to set this sensitive part aside as a reserve and lookout point for the public to visit. A BRA is proposed over this area which restricts any built form as a non-complying activity (other than utility structures such as water reservoirs). I also understand that the part of the landform within the operative LDRZ portion is intended to be covenanted such as to secure this outcome within that part of the site not subject to this rezoning. I note that the current LDRZ allows for building that would be seen in close proximity of the knoll where they may break the skyline from some viewpoints.

- 27 The proposed lot layout for LLRZ, which surrounds the central area of proposed LDRZ adjacent to the existing zone, will ensure integration of a clearly legible and robust defensible edge along the Shotover Gorge ONF (based on landform) into the design outcomes. I agree with Mr Espie's assessment that the current LDRZ operative boundary is not logically placed based upon landform.

Planting/ revegetation areas

- 28 The planting proposed for the LLRZ consists of a mix of native plants consisting of species of varying height (see Table 1 for species composition). As part of the planting, trees, shrubs, and grasses will provide some ecological and visual diversity, while the aim is to achieve an overall homogenous appearance of the structural planting that settles the development into the landform and frames the built development.
- 29 It is anticipated that these plants would provide not only a screening function for dwellings when viewed from outside the Site, but also a native seed source in an area that is currently dominated by exotic wilding trees (Douglas Fir and Larch) and scrub (blackberry). The planting wraps around the periphery of the Site and between lots in the vicinity of the proposed building platforms where the plants will help to visually integrate structures in the surrounding terrain. As vertical landscape elements, the large-scale mass planting will create a context to soften the built form on the currently cleared Site.

Stature of species	English species name	Latin species name
Low Tier	Snow tussock	<i>Chionochloa rigida</i>
	Red tussock	<i>Chionochloa rubra</i>
	Koromiko	<i>Hebe salicifolia</i> 'Snowdrift'
	Wharariki - Mountain Flax	<i>Phormium cookianum</i>
	Ornamental Kowhai	<i>Sophora molloyii</i> 'Dragons Gold'
	NZ Olearia	<i>Olearia x oleifolia</i>
Mid Tier	Kōhūhū - Black Matipo	<i>Pittosporum tenuifolium</i>
	Mingimingi	<i>Coprosma propinqua</i>
	Harakeke - NZ Flax	<i>Phormium tenax</i>
	South Island Toetoe	<i>Austroderia richardii</i>
	Mikimiki	<i>Coprosma virescens</i>
	Akiraho - Golden Ake Ake	<i>Olearia paniculata</i>
Tall Tier	Mānuka	<i>Leptospermum scoparium</i>
	Tawhai Rauriki - Mountain beech	<i>Fuscospora cliffortioides</i>
	Kōwhai	<i>Sophora microphylla</i>
	Tī Kōuka - Cabbage tree	<i>Cordyline australis</i>
	Houhi Puruhi - Narrow-leaved Lacebark	<i>Hoheria angustifolia</i>
	Tarata - Lemonwood	<i>Pittosporum eugenioides</i>

Table 1: Native plant mix proposed in identified planting areas.

- 30 While there are still wilding trees present on DOC managed land that provide screening for buildings at the moment, I understand that the long-term goal is to remove all wilding trees on the landform.. Currently, the planting is shown to extend only across the land owned by Gertrude Saddlery, however the mixed palette of plant species available will allow easily for future integration of native revegetation of the DOC land, should that be undertaken.
- 31 As part of the proposed zone provisions for LLRZ, it is proposed that a more detailed landscape plan would be prepared by a registered landscape architect which would have to be submitted to council for approval at the stage of subdivision of the Site. Following that, the comprehensive planting plan would be implemented by individual lot owners prior to building, in accordance with registered consent conditions This means that a high level of consistency in appearance of planting will be achieved across lots, as it

is implemented according to a comprehensive structural planting plan of homogenous layout and species distribution.

Access and trail connections

- 32 The Site currently contains one gravel access road off Atley Road. This existing road will be utilised to access all the proposed building platform locations. The proposed LDRZ would likely require a secondary access road (potentially in the form of a loop road) to access future residences in this confined area.
- 33 The LLR zoned lots would all be accessed directly off the existing Atley Road end via the existing road with potentially shared driveways. Minor road upgrades and a chip-seal surface would most likely be required, however, this will avoid the need for earthworks for the creation of a new access road which could be substantial in this terrain. LLR lots would create driveways off the access road which will be determined by the design of the buildings (incl garage location) within the identified BPs. All driveways and carparking areas outside of identified BPs would require restricted discretionary consent and potentially include conditions around proposed planting to screen any earthworks required for the platform and driveway creation. It is proposed that driveways would be identified in the landscape plans that is submitted to council at subdivision stage and this plan would also contain potential mitigation planting associated with any earthworks required for the creation of driveways.
- 34 The proposal includes the connection to potential walking and cycling tracks on DOC managed land which may include linkages to the wider trail network extending along and across the Shotover River. It is proposed to allow public foot and cycling traffic along the private dual use road with a connection to a track outside the Site between Lots 33 and 36. This track could then connect upstream and downstream along the river.

3D Model and Visual Simulations

- 35 For the 3D modelling prepared by BML, the underlying terrain was based on lidar survey data that was provided by Clark Fortune MacDonald Surveyor, which showed 1m contours across the entire Site and adjacent land (see Figure 1).
- 36 The modelling of buildings was based on a 7m height for all structures across both the LLR and LDR zones (based on RLs specified in Figure 4 of

graphic attachment). Buildings in the LDRZ are shown as extruded footprints which lead to a simple bulk shape without roofs, windows or surface articulation. Since there are no restrictions regarding the design of buildings their appearance is only indicative. Buildings in LDR are set back 4m from the potential external lot boundaries (2m internal), but no structure plan is proposed for these lots and therefore no exact building platform location is proposed. Potential building platforms utilised for the modelling ranged between 180 and 250m², depending on lot size. It is very unlikely that lot owners would build structures of the modelled size which occupy the majority of the lots. The box-like buildings shown for the LDRZ are a worst-case, bulk scenario.

- 37 Most buildings in the LLRZ are shown as actual buildings with a gabled roof and windows. All are rendered in a wooden surface (brown) and with dark roofs that would comply with the LRV specified (no more than 20% for roofs and 30% for other surfaces). For the LLRZ buildings have been modelled at a size of 500m². Since the BP would have to include all structures and buildings, again it would be highly unlikely that a single residential building of this size would be erected. I also note that Rule 11.5.6 specifies a maximum building façade length of 20m, which means that the buildings would need to be broken up into smaller, separate built form components. As shown in the model some buildings are 20x25m (eg lots 26 and 34) with others 14x34m (eg lots 29-33), depending on the shape of the building platforms which would have to be broken up. For irregular shaped footprints (eg lots 27, 37, 38, 39) bulk buildings were extruded to the maximum 7m height with a flat roof. This means that the modelled buildings are of a maximum bulk compared to an architecturally designed building that would be enabled under all the proposed LLRZ rules.
- 38 When siting the buildings within the model, a relative elevation had to be assigned to the building platforms within the terrain. Generally, this was set at midpoint of contours across sloping platforms, since this would lead to an approximate balance between cut and fill when constructing the platform. While there is no prescribed RL for the platforms within the LDR, a defined RL is provided in Rule 11.5.1 for each of the LLR BPs with a maximum building height 7m above this level. There are various ways to develop buildings across sloping lots, through either stepped buildings that follow the landform or with the creation of flat platforms through earthworks. The overall height of the building is, however, set in the structure plan for the LLRZ to provide certainty regarding the visual effects of any buildings.

For the preparation of the model, any earthworks for building platforms or driveways were not modelled, as they will be determined through the subdivision plans.

- 39 Planting in the 3D model and visual simulations is shown at 5 years following planting with the following mix of heights based on the plant palette provided. At 5 years after planting 45% of the plants are shown at 3m, 45% at 4m and 10% at 5m height.
- 40 The preparation of visual simulations coincided with the large-scale clearance of wilding trees on the Site. The ongoing programme of removing mature trees has changed and will continue to change the appearance of the site and the potential visibility of structures. Therefore, photos were re-taken following the removal of the majority of trees that influence visibility across the site from external viewpoints.

Peer Review of Mr Espie's evidence

- 41 I reviewed Mr Espie's Evidence in draft form and discussed the points below throughout the preparation of my evidence. The key issues that I comment on are as follows:
 - (a) Landscape Categories and Shotover ONF and Western Whakatipu Basin ONL boundary outlines
 - (b) Landscape values identified in the notified Priority Area Schedules
 - (c) Visual effects of the proposed zoning
 - (d) Appropriateness of the proposed Zoning in light of existing landscape values
- 42 I support the methodology applied by Mr Espie to the landscape and visual effects assessment and consider that it is in line with best practice as outlined in the recently released Te Tangi A Te Manu, Aotearoa New Zealand Landscape Assessment Guidelines, including the assessment scale of effects shown in para 16 of his evidence.

Landscape Categories and Shotover ONF and Western Whakatipu Basin ONL Boundary Outlines

- 43 I reviewed the description of the existing environment which was partially based on his 2017 evidence. The key update to the existing landscape

found on the Site itself is the extensive past and ongoing tree removal that has seen the majority of wilding Douglas Fir and European Larch trees on the Site removed.

- 44 I agree with Mr Espie (para 28) that the southern boundary of the operative (but currently undeveloped) LDRZ on the Site does not accurately relate to landform or land use patterns. As described by Mr Espie, the outer Site boundary follows more or less the change in terrain, where the more gently sloping upper part of the headland gives way to the steep slopes of the Shotover Gorge below. This boundary between the Site and the DOC managed land of the Shotover Gorge coincides relatively closely with the ONF boundary identified in Mr Espie's previous evidence (see Appendix 2 to the Evidence of Mr Ben Espie, dated 9 June 2017).

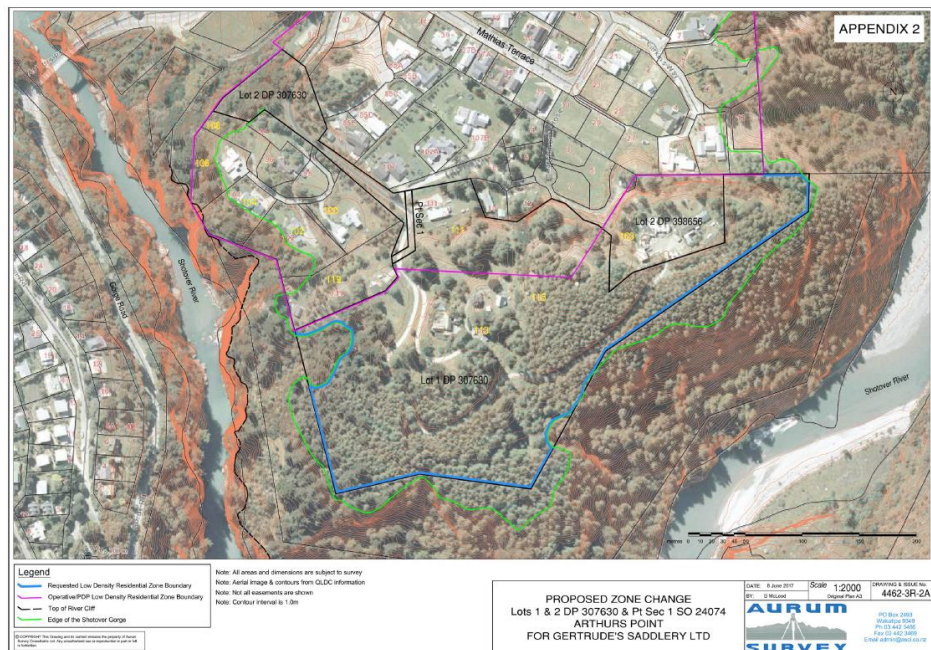


Figure 1: Boundary to Shotover Gorge and Site (Appendix 2 to the Evidence of Mr Ben Espie, dated 9 June 2017)

- 45 Mr Espie accurately summarises in para 10 that the Shotover River and its gorge are an Outstanding Natural Feature (**ONF**). The site is adjacent to this ONF but is not part of it (apart from two very small gully areas). Both Ms Mellisop (para 9.8 and Appendix D) and I agree with this assessment.
- 46 Mr Espie then continues to consider that the Site is not part of any Outstanding Natural Landscape (**ONL**), as it is disconnected and separate from both the Central Whakatipu Basin Coronet ONL and the Western

Whakatipu Basin ONL that are identified by QLDC's notified variation relating to landscape Priority Areas. Ms Mellsop, however, expresses the view in para 7.5 that the remainder of the Site (outside the existing LDRZ) is part of the wider ONL that surrounds Arthurs Point settlement. She considers the Kimiākau Shotover River ONF to be nested within the wider ONL.

- 47 While I agree that ONFs form part of wider ONLs for other parts of the Wakatipu Basin, and for the Kimiākau Shotover River ONF upstream and downstream of Arthurs Point settlement, where the river is nested within a large and coherent extent of a wider ONL, I consider that these wider ONL values are not present on the sliver of Rural Zoned land within the Site. Given the limited size of the land between the Shotover Gorge and the notified Urban Growth Boundary (UGB) / LDRZ boundary, which is approximately 150 m wide, I consider that this area is too small to be considered as a continuation of the surrounding mountainous ONLs. On the southern side of the Shotover Gorge, the ONL continues uninterrupted towards the mountains which are within the West Whakatipu Basin ONL Priority Area (Schedule 21.22.12). North of Arthurs Point settlement the ONL continues onto the slopes of Mount Dewar and Coronet Peak within the Central Whakatipu Basin Coronet ONL Priority Area (Schedule 21.22.15).
- 48 In both of these instances I consider that the Shotover Gorge/ River ONF Priority Area (Schedule 21.22.3) is embedded in a wider ONL, but the remnant Rural Zone between the southern Arthurs Point UGB and the ONF is not a 'landscape' due to its very constrained size. Therefore, it is in my opinion too small to be considered as an ONL, or part of a (disconnected) broader ONL. It also does not display a high level of naturalness or the same notable values as the continuous landscape north and south of Arthurs Point settlement.



Figure 2: Landscape Priority Area boundaries (yellow- notified version and green Court approved version which excludes the Site) from qldc.maps.arcgis.com

- 49 I understand that since notification of the proposed landscape schedules, the Council has lodged a corporate submission to the effect that the extent of the Shotover Gorge ONF Priority Area should ultimately be drawn so as to reflect the final zoning in this vicinity, as determined through this hearing. Mr Espie outlines (in para 64) that the line marking the upper extent of the gorge (see his Appendix 2) is not a line of altitude, but an outline that follows the landform along the gradient change between rolling topography of the Site to the increasingly steep escarpment landform below. I consider that this boundary would form a logical and defensible development boundary which should form both the ONF outline and UGB.
- 50 As detailed above in respect of the structure plan overlay, while the UGB extends to the edge of the ONF, any built form within the site is significantly set back from the escarpment edge and provides 'breathing space' in the form of structural planting. The building setback from the escarpment means that the landform has a (at least partial) screening effect in potential views from lower-lying viewpoints, such as Watties Track, and fully blocks views from the Shotover Gorge.

² <https://experience.arcgis.com/experience/d9fba0542af340feb12b54406dff9ca2>

Landscape values identified in the notified Priority Area Schedules

- 51 I have not undertaken a detailed landscape value assessment of the surrounding ONLs or Shotover Gorge ONF, but I have reviewed the Priority Area Schedules mentioned above and Mr Espie's and Ms Mellsop's evidence in this respect.
- 52 In para 6.3 Ms Mellsop summarises the key relevant attributes and values of the context landscape. I agree that these values are present in the area surrounding Arthurs Point, such as Mt Dewar and the Shotover River, but do not consider that they are particularly applicable to the Site itself.
- 53 In section 7 she expands on the landscape values found on the Site and describes that the "*sites consist of a schistose knoll that forms the southern end of a peninsula extending from Mount Dewar*" (para 7.2). While this description relates to the underlying landform, this does not address the influence that the existing settlement of Arthurs Point has had in terms of separation of these landforms. In my view, the existing urban development has visually and physically severed this connection to the Central Whakatipu Basin Coronet ONL to a point where the two cannot be considered as connected, or the Site cannot be considered as 'nested' within the broader ONL. The values for this mountainous area described in the Priority Area in Schedule 21.22.15, do not, in my view, apply to the Site.
- 54 While I agree with the values described for the Shotover Gorge in the Priority Area Schedule (Schedule 21.22.3) these values are confined to the river corridor. This corridor has been accurately outlined by both Mr Espie and Ms Mellsop and the Site falls outside. The structure plan approach for the LLRZ in the outer part of the Site ensures that those values will be protected, including by setting development back from the escarpment and ensuring that built form is not visible from the gorge itself.
- 55 Ms Mellsop described the 'knoll' on the Site to be a landmark and memorable feature that is relatively unmodified in terms of landform. Currently, several access tracks, residential buildings and water tanks are present and development of the operative LDRZ on a relatively high-lying and sensitive part of the Site would further modify the rocky outcrops. As observed on Site (based on height poles) and based on the 3D modelling it is likely that buildings in the operative LDRZ would break the skyline in the vicinity of the knoll from some viewpoints. Land cover used to consist of wilding trees which are progressively being removed. I consider that the

Site does not display the naturalness (moderate to high³) required to qualify as an ONL.

- 56 For these reasons, I do not consider the currently Rural Zoned part of the Site to be an ONL in its own right, or part of a broader ONL, based on its physical, associative and perceptual values.

Visual Effects of the Proposed Zoning

- 57 Mr Espie has undertaken a detailed assessment of visual effects in his evidence using both on-site findings and the modelling of the proposal provided in the Graphic Attachment (**Figures 7 to 24**). In para 67 he summarises the potential viewing audiences that he then utilises to describe in visual effects from in his summary table as follows:

- (a) Observers in the operative LDRZ to the north of the subject site;
- (b) Observers in Arthur's Point west (the McChesney Road / Moonlight Track area);
- (c) Observers on or adjacent to Wattie's Track;
- (d) Observers on Gorge Road;
- (e) Observers on the Shotover River or adjacent public land.

- 58 I agree that these are the key audiences that would be affected by the proposal. Mr Espie considers that the most considerable visual effects (moderate to high) would be experienced from the vicinity of Watties Track, which includes several private residences on the terrace on the true right of the Shotover River (**Visual Simulation VP 13**). This is followed by moderate effects from Arthur's Point west (**Visual Simulation VP 12**), low to moderate effects from Gorge Road (**Visual Simulation VP 7**) and very low effects from the LDRZ to the north of the Site (**Visual Simulation VP 2**) and from the Shotover River.

- 59 I visited these viewpoints and reviewed the visual simulations and modelling prepared by BML and reached the conclusion that the effects

³ In the Mackenzie Basin Interim Decision (C387/2011) the Environment Court 'provisionally endorsed' the use of a scale of naturalness in quantifying the degree of naturalness which occurs (but subject to a caveat about naturalness being a cultural construct rather than a scientific term).

from the Watties Track area would be different, but not necessarily worse than those from Arthurs Point west in the longer term once the structural planting establishes. These two viewpoints are different in viewing angle, with Watties Track being lower-lying than the Site and Arthurs Point West (partly) being higher in elevation than the Site. I consider that the lower-lying nature of Watties Track would make the screening function of the existing terrain and proposed planting around the periphery of the Site more effective than from high-lying viewpoints. The outlook from the private properties in the Watties Track area currently does not include urban development (see **Figure 22**), but some buildings in the operative LDRZ may be visible from some of these private properties near the top of the knoll (see **Figure 17**). The properties around McChesney Road already look out to the existing Atley Downs part of Arthurs Point settlement (see **Figure 20**). I agree that the Site forms a smaller component of the overall panoramic view from the high-lying parts of Arthurs Point West, but consider that the proposed planting will more effectively reduce the visual effects from Watties Track in the longer term, leading to an overall moderate visual effect from both of these viewpoints once planting is sufficiently established (after around 5 years).

- 60 I agree with the low - moderate visual effect rating for the one viewpoint on Gorge Road where the proposed zoning is visible, located near the McChesney Road intersection (**VP 7, see Figure 15**). However, visibility is limited to this confined area, with dense vegetation lining the road and preventing views to the east otherwise (see **Figures 12 and 13**).
- 61 In relation to the existing settlement of Arthurs Point (developed LDRZ to the north of the Site), I agree with Mr Espie that effects of the proposed LDRZ would be very low (see **Figures 7 and 8**) The existing dwellings on Lots 39, 40 and 41 are already visible from parts of Larkins Way, Larchmont Close and Mathias Terrace, now that the conifers along the rocky outcrops have been removed. This means that the effects of potential future buildings on these Lots would be very similar in visual effect to the existing situation with overall additional effects being very low. The proposed structural planting along the escarpment north of the BPs on Lots 37-41 would partially screen buildings on those lots and existing development appears in the foreground of view from the existing LDRZ in the Atley Downs subdivision (see **Figure 8**).
- 62 I agree with Mr Espie that visual effects from the Shotover Gorge would be very low to nil, since the steep escarpment would block the majority of views

to the Site (see **Figure 10** for Edith Cavell Bridge which is higher-lying than the river bed). There is a potential to gain glimpses of one or two proposed dwellings in the vicinity of Edith Cavell bridge if all trees on DOC land are removed, but consider that this would be inconsequential due to presence of existing built form in the foreground of the view as shown in **Figure 10**.

- 63 From the Big Beach area, located downstream of the Site, partial views may be possible to some buildings, including on Lots 37 and 38. However, in both instances these buildings would be viewed in the vicinity of existing buildings on nearby properties. In my view, these additional buildings within the proposed LLRZ on the Site would not be more visually prominent than the existing LDR development to the north and agree with Mr Espie's findings in this respect. This visual catchment along the Shotover River, located downstream of the Site, is not considered to be a key public viewpoint and most viewers would experience the outlook from a fast-moving jet boat, travelling upstream, where the existing Arthurs Point settlement forms part of the receiving environment along the escarpment of the Shotover River. This means that the broader urban context of Arthurs Point will be seen together with this rezoning, and the visual effects of the additional buildings would not detract from the wider mountainous context of the landscapes surrounding Arthurs Point, which will remain dominant.

Appropriateness of the proposed Zoning in light of existing landscape values

- 64 In para 10.5 Ms Mellsop outlines that in her opinion LDRZ over the submission sites would have moderate or moderate-high adverse effects on the naturalness and scenic attributes of the views from the river corridor to the east, and places to the south and south-west. I agree that LDRZ across the entirety of the two submissions sites, as was originally proposed, would have a moderate to high degree of effect. At the density that can be achieved under LDRZ it would in my view be impossible to maintain the landform values of the headland above the Shotover Gorge.
- 65 We, therefore, prepared a masterplan for the Submitters where a bespoke location of site-specific building platforms at a low density can be realised. Part of the Site is less sensitive to change due to the inward-facing nature in proximity to existing LDR zoning. In my view, LDRZ is appropriate for this area, as it would not adversely affect either the high-lying knoll of the headland, or the Shotover Gorge below. Ms Mellsop agrees and proposes a very similar extent for the LDRZ, as does Mr Espie, that would protect

landscape values on the Site in her evidence (see Figure 3 below for map from her Appendix D, shown overlaid with proposed rezoning).

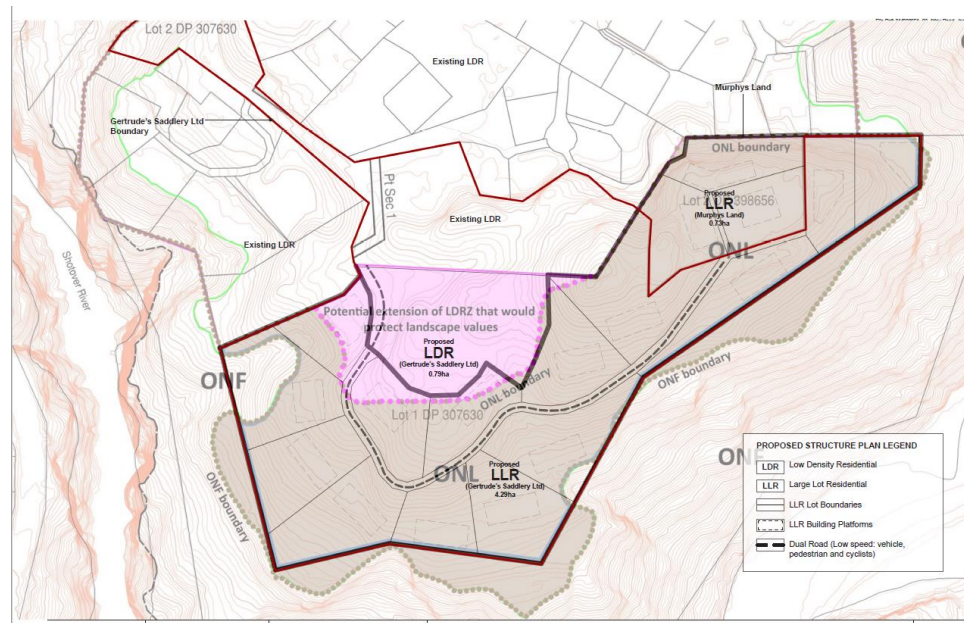


Figure 3: LDRZ on the Site proposed by Ms Mellsoy in her Appendix D) overlaid with the Zoning proposed by Submitters. Note that the inset references of "ONL Boundary" are from Ms Mellsoy's overlay

- 66 In my opinion, the proposed LDRZ in the structure plan (or Ms Mellsoy's outline) would appropriately follow landform boundaries and lead to a more defensible zoning outcome than the current LDRZ on the Site that does not relate to the underlying topography of the land.
- 67 Ms Mellsoy has not assessed the effects of the now-proposed LLRZ / structure plan approach around the periphery of the Site, but has focused her assessment on possible effects of LDRZ across the entirety of the Site. I understand that this will occur through QLDC's rebuttal evidence. She concludes in para 10.4 that LDRZ would remove the rural 'breathing space' between urban development on Atley Terrace and the river corridor. While I agree that LDRZ would have greater effects on the outer part of the Site, I consider that the proposed LLRZ with specific building platforms and a buffer of native planting would provide for a low level of development that would not adversely impact on the adjacent Shotover Gorge ONF, and would not detract from the landscape character of the Site itself. In my view, future development of the Site based on a consistent structure plan with structural planting would be a preferable outcome to ad-hoc development

through individual (discretionary) resource consent applications in the Rural Zone, as it provides certainty regarding the long-term amenity of the Site overall. I do not consider that the sliver of Rural land between the existing LDRZ and the ONF has values that would justify its identification under RMA S6(b), as the Shotover Gorge does.

- 68 Ms Mellsop appears to treat this area as a buffer referred to as a 'breathing space' in her evidence. While, I agree that the proposed development has to ensure that the ONF values of the gorge are protected, I do not agree with her conclusion that this should be achieved through a remnant Rural Zoning with ONL overlay. In my opinion, the proposed LLRZ, specifically locates buildings in areas that can absorb the change without adversely impacting on the landscape values, and also ensures that future native revegetation be required. In this respect, I do not consider that a buffer or breathing space needs to be maintained. I also note that it is likely that a remnant of rural land adjacent to the Arthurs Point UBG would be under ongoing pressure for future ad-hoc development under the Rural Zone / discretionary regime. In my view, the proposal provides an outcome with more certainty that can maintain landscape amenity and achieve a high level of consistency in development.

Conclusions

- 69 I have reviewed Mr Espie's evidence and agree with the conclusions provided. In particular, I agree with him that the Site is not part of the Shotover River ONF and any of the ONLs that include the mountainous areas surrounding Arthurs Point. I consider that the Site does not display the same physical, associative and perceptual values present in these wider landscapes. In addition, the Site is physically disconnected from these wider ONLs and it is too small to form a landscape. Given the limited size of the land between the Shotover Gorge and the notified Urban Growth Boundary (UGB) / LDRZ boundary, I consider that this area is too small to be considered as a continuation of the surrounding mountainous ONLs.
- 70 I agree with Mr Espie that the proposed rezoning would protect the values of the identified ONF and ONLs, as set out in notified Schedules 21.22.3, 21.22.12 and 21.22.15;
- 71 As outlined by Mr Espie, the development enabled by the requested relief will be visible from a relatively confined visual catchment. The proposed

LDR Zone extension is located within an inward facing part of the Site where the visual effects are largely confined to a visual catchment that would already experience effects once the operative LDRZ is implemented. The identified LDRZ extension area is in a central part of the Site that is relatively flat, rather than sloping towards its perimeter. This area is visually less sensitive than the existing LDRZ which extends across a relatively high-lying, north-facing part of the Site with rocky outcrops. The buildings within the additional LDRZ would be seen in the backdrop of the future (approximately 12-15) buildings within the already zoned land, when viewed from the north. In views from south and east, elevated landform intervenes which confines the visual catchment to elevated viewpoints to the west, which includes public and private viewpoints above and below Gorge Road. I agree with Mr Espie that the highest level of effect would be experienced from the Watties Track and McChesney Road area. However, I consider that from Watties Track the effects would be moderate from these areas in the longer-term, since the proposed planting and existing landform will provide at least partial screening for the proposed buildings in the LLR (rather than moderate-high degree). Some buildings located within the Operative LDRZ on the Site may also be visible from some of the private viewpoints in the Watties Track area.

- 72 The master planning approach has been a design led response to the topography and constraints of the Site. In my opinion, the proposed LDRZ in the structure plan would appropriately follow landform boundaries and lead to a more defensible zoning outcome than the current LDRZ on the Site that does not relate to the underlying topography of the land.
- 73 The identified 17 BPs in the LLRZ are all located in flatter areas that have a higher ability to absorb residential dwellings. The outer lots along the periphery of the Site all include a flat, terraced area below the access road where buildings can be sensitively sited with a setback from the escarpment that forms the Shotover River ONF boundary. The structural planting proposed for the LLRZ consists of a mix of native plants which will achieve an overall homogenous appearance that settles the development into the landform and frames the built development.
- 74 The proposal includes the connection to potential walking and cycling tracks on DOC managed land which may include linkages to the wider trail network extending along and across the Shotover River.

- 75 The proposed structure plan will ensure a high level of certainty of future built form outcomes and revegetation, compared to potentially ad hoc development on remnant Rural zoned land on the outskirts of Arthurs Point Settlement.
- 76 In formulating the structure plan for the Site, BML have taken into account the need for buildings to be designed and located so that they do not compromise the character of the adjacent Shotover River ONF or impact adversely on the outlook from existing residences. The design ensures that buildings would be subservient to the surrounding natural landscape elements, with a sense of spaciousness maintained across the more visible parts of the Site due to the low density and the provision of extensive native planting areas that contribute to the landscape character and visual amenity values.

Yvonne Pflüger

15 November 2022