

**BEFORE THE INDEPENDENT HEARING PANEL APPOINTED BY THE
QUEENSTOWN LAKES DISTRICT COUNCIL**

UNDER the Resource Management Act 1991 (RMA)
IN THE MATTER of the Te Pūtahi Ladies Mile Plan Variation in accordance
with section 80B and 80C, and Part 5 of Schedule 1 of the
Resource Management Act 1991.

**JOINT STATEMENT OF LANDSCAPE EXPERTS IN RELATION TO TE
PŪTAHI LADIES MILE PLAN VARIATION**

DATED 2 NOVEMBER 2023

Introduction

- 1 This joint witness statement (**JWS**) records the outcome of conferencing of landscape expert witnesses in relation to the Te Pūtahi Ladies Mile Plan Variation (**TPLM Variation**).
- 2 The expert witness conferencing held on Monday 30th October 2023, at Queenstown Lakes District Council's Shotover Street Office. Paula Costello facilitated the conferencing in person.
- 3 Attendees at the conference were:
 - (a) Stephen Skelton.
 - (b) Tony Milne.
 - (c) Dave Compton-Moen.
 - (d) James Bentley.
 - (e) Wendy Chartres-Moginie.

Code of Conduct

- 4 This JWS is prepared in accordance with sections 9.4 to 9.6 of the Environment Court Practice Note 2023.
- 5 We confirm that we have read and are familiar with the Environment Court Practice Note 2023 and agree to abide by it.

Key information sources relied on

- 6 The following material has been reviewed by and/or relied upon by all attendees when coming to our opinions:
 - (a) The TPLM Variation (and associated documents);
 - (b) The evidence of Stephen Skelton dated 29 September 2023;
 - (c) The relevant parts of the Section 42A Report as it touches on landscape issues (**s42A Report**);
 - (d) Queenstown Lakes District Council Proposed District Plan (**PDP**) Chapter 3 – Strategic Direction;
 - (e) The evidence of Tony Milne, dated 20 October 2023;
 - (f) The evidence of Dave Compton-Moen, dated 20 October 2023;
 - (g) The evidence of James Bentley, dated 20 October 2023;

- (h) The evidence of Wendy Chartres-Moginie, dated 20 October 2023;
 - (i) A set of nine (9) Aerial Photos that capture views of the TPLM area, source – Ka Huanui a Tahuna (Reece Gibson), attached.
- 7 The key facts and assumptions we have agreed on when coming to our opinions are as follows:
- (a) That the TPLM Variation represents large scale rezoning resulting in a change in the landscape from the current character to an urban character.
 - (b) That the existing trail within the Queenstown Country Club site is located within a public easement (QLDC).
 - (c) That both 53 Max's Way and the Koko Ridge Ltd site hold existing resource consents.

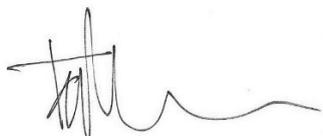
Purpose and scope of conferencing

- 8 The purpose of conferencing was to identify, discuss, and highlight points of agreement and disagreement in relation to transport relevant to the TPLM Variation, and identify any technical drafting changes to the proposed District Plan provisions (and the reasons for those changes).
- 9 **Attachment A** records the agreed issues, areas of disagreement and the reasons, along with any reservations.

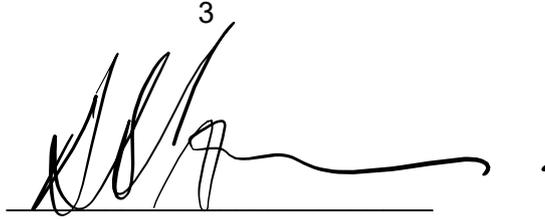
Dated: **2 November 2023**



Stephen Skelton



Tony Milne



A handwritten signature in black ink, appearing to read 'David Compton-Moen', written over a horizontal line.

David Compton-Moen



A handwritten signature in black ink, appearing to read 'James Bentley', written over a horizontal line.

James Bentley



A handwritten signature in black ink, appearing to read 'Wendy Chartres-Moginie', written over a horizontal line.

Wendy Chartres-Moginie

ATTACHMENT A – EXPERT CONFERENCING ON LANDSCAPE

Participants: Stephen Skelton (SS), Tony Milne (TM), Dave Compton-Moen (DCM), James Bentley (JB), Wendy Chartres-Moginie (WCM)

Issue	Agreed Position	Disagreements or Reservations, with reasons
<p>1. The relevant landscape context and values of the area</p>	<p>The experts agree;</p> <p>That the landscape context and values of the area are accurately captured within the evidence of Stephen Skelton (based on the Patch Landscape Reporting for the TPLM Variation), coupled with the descriptors found within the PDP LCUs 10 (and 7 with regard to the Anna Hutchinson Family Trust land).</p> <p>Noting that the LCUs provide a description of character in terms of what is/was current character (character at the time of drafting of the LCUs).</p>	<p>David Compton-Moen, Tony Milne, James Bentley & Wendy Chartres-Moginie record that they have not undertaken a variation-wide assessment of the landscape.</p>
<p>2. Landscape effects of the TPLM Variation, including</p> <p>a. Visual effects/landscape character</p>		<p>The experts have different views on the landscape effects of the TPLM variation specific to the different areas that they have assessed and/or hold different opinions on the specific areas they have assessed.</p>

<p>b. If the TPLM variation area is appropriate (i.e. the extent of the structure plan)</p>	<p>The experts agree:</p> <p>That generally the extent of the structure plan (TPLM variation area) is appropriate.</p>	<p>Tony Milne is of the view that the variation area can extend west / north west in the location of Anna Hutchinson Family Trust land.</p> <p>Steve Skelton disagrees with this proposed extension of the variation area and considers that on a landscape basis (as set out in part 60 of his EIC) the existing TPLM variation extent is appropriate and defensible.</p> <p>David Compton-Moen records his view that landscape characteristics are an appropriate method by which to establish defensible boundaries, noting that previous versions of the master plan had different boundaries, often defined by political considerations rather than good design outcomes.</p>
<p>c. If effects are acceptable or how they can be addressed</p>	<p>The experts, except David Compton-Moen, agree:</p> <p>The nature of the TPLM Variation area means that it has different edges in a landscape sense, and that nuanced or different treatments to each location/edge is appropriate to address location specific effects.</p>	<p>The experts have different views on “if the effects are acceptable” specific to the different areas that they have assessed.</p> <p>With the exception of Stephen Skelton, the experts have not made an assessment of the effects of the TP LM variation as a whole.</p>

		<p>Dave Compton-Moen does not consider that a nuanced or different approach is required for the Koko Ridge Ltd property. The proposed TPLM Low Density zoning and supporting standards are appropriate for this site.</p>
<p>3. Anna Hutchinson Family Trust submission for proposed extension to west</p> <p>a. Visual effects and effects on landscape character</p>	<p>Tony Milne and Steve Skelton agree that terrace escarpments are the most sensitive portions of the submitter's site, and that indigenous revegetation (of the escarpments) would be positive.</p>	<p>Tony Milne considers that adverse effects arising from the proposed extension can be managed in the context of the site and the TPLM variation area.</p> <p>(Tony Milne notes that the Structure Plan prepared by <i>Saddleback</i> does not fully align with his recommendations- specifically in regard to the lower terrace).</p> <p>Steve Skelton disagrees, and considers that the Shotover Terraces which are partially occupied by the submission site have high associative, physical and perceptual attributes and values, that the extent and scale proposed by the submission can not be absorbed as the submission site forms part of a landscape which has an open, special character and that that special character includes the heritage aspects of the area (bridge, ferry building) as well as its location between two ONFs.</p>

		<p>Tony Milne considers that the key attributes and values of the relevant ONF (Slope Hill) as appreciated in views, will still be retained.</p> <p>Steve Skelton disagrees and considers that the conical formation of the Slope Hill (ONF) will be adversely impacted (in views from the west) as a result of any urban development on the submission site.</p>
<p>b. Defendable Edge to Future Urban Development</p>		<p>Tony Milne considers that the gully located to the north of the site, and the terraces to the Shotover River establish a defendable landform edge to future urban development in relation to the TPLM variation area. Tony Milne acknowledges the extension is only sought to the cadastral boundary of the submitters site along its northern edge.</p> <p>Steve Skelton disagrees that this gully is unique, identifying that the subject gully is not on the submitters site and that at least two other similar gullies exist further north across the same terraced landform. SS is of the view that development on this site (subject of the submission) would open up potential for urban development to extend north with no defendable edge, and considers that elements described in para 60 (d) of his EIC form a defendable western edge to the TPLM Variation.</p>

4. QCC submission seeking to remove BRA from across northern portion of land (reduce from 75m to 25m).

The experts agree:

Gateway:

In discussion of the origin of the 75m BRA, that this provision was established, for people travelling along SH6, at the time of a rural context to the TPLM and where the subject part of TPLM was considered as part of the 'gateway' to Queenstown.

That as a result of TPLM variation, the perceived 'gateway' to the area (entry and exit) is now located further east in the vicinity of the Strains Road/Walnut Lane intersection with SH6 or when, travelling east-west, the top of the terrace is reached – as indicated (red circle) in Figure 1 below:



Figure 1: Indicative Location of Gateway

	<p><i>BRA</i></p> <p>That a pattern of development comprising 8m building height located at a 25m setback of a consistent form along this setback would have adverse effect on views to surrounding ONLs.</p> <p>That there is room for consideration of the reduction of the 75m BRA to 25m (approximate location of existing post & rail fence), on the basis that it is replaced/accompanied with a specific design/policy response in regard to built form permitted.</p> <p>That the key elements to be addressed in such a response (appreciating that the context is changing and lower views of surrounding ONLs may be lost) are:</p> <ul style="list-style-type: none"> - Views to the wider landscape – specifically the dominant skylines when viewed from the transport corridor (active travel link & road) and that, - Building height and density is the key matter with potential to result in adverse effects. <p>That there is no specific viewshaft or vantage point, more that it is views continuously gained along the transport corridor to the broader landscape.</p>	<p><i>In regard to the BRA:</i></p> <p>Stephen Skelton, Tony Milne & Wendy Chartres-Moginie also consider that density and location of buildings are important in an appropriate design response in addition to building height.</p> <p>Tony Milne identifies that potential wording of policy 27.3.24.4d and/or 49.5.4.1 can contribute to this.</p> <p>David Compton-Moen considers that density or the location of buildings are not issues for buildings within the BRA and that any effects on wider views can be adequately addressed by a reduced building height alone.</p> <p>James Bentley comments that any built response on this relatively slender area of land (i.e., within the 50m buffer between the 25m carriageway offset and the start of the villas/ clubhouse in the QCC development) will be consistent with the designed outcomes that presently exist on the site.</p>
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<p>5. Effects of Subarea H2 (Koko Ridge Ltd's) land being rezoned as LDR including</p> <p>a. Visual effects</p> <p>b. Effects of this rezoning on Corona Trust Ltd (53 Max's Way) including</p> <p>Visual effects and Appropriate building height and setback on the Koko Ridge land</p>	<p>The experts agree that:</p> <p>This area is appropriate to be within the TPLM Variation extent and zoned LDR.</p>	<p>David Compton-Moen considers that RM211276 establishes the permitted baseline for development on Koko Ridge within the BRA. The BRA was established to protect views from the State Highway corridor only and not from adjacent properties. The consent allows for four lots within a 10m setback from the top of the escarpment, not measured from the property boundary. For the four lots in question, the cadastral boundary is not located on the top of the escarpment. It is acknowledged in the consent drawings and the accompanying assessment that buildings will be visible from below the escarpment, but the effects will be less than minor.</p> <p>David Compton-Moen considers that with the intervening distance and topographical change between properties, the reduction of the rear setback from 4m to 2m will be indiscernible. David also considers that density is not an issue with the 300m² lot size for the zone is appropriate.</p> <p>Tony Milne, Stephen Skelton & Wendy Chartres-Moginie consider that a bespoke approach to the boundary with 53 Max's Way is appropriate to mitigate effects on this property,</p>
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		<p>and that effects relevant are over the entire property.</p> <p>Tony Milne and Wendy Chartres-Moginie consider that a 5.5m building height is appropriate for this site and already is established by a covenant held over the site. Stephen Skelton agrees, however considers the 5.5m building height a minimum.</p> <p>Stephen Skelton, Tony Milne & Wendy Chartres-Moginie agree that a 2m setback for buildings off the top of escarpment is not sufficient to maintain the attributes of that feature (including due to the fact that this escarpment is not within the control of the site) and that a graduated setback & height requirement could be considered – comprising a certain setback for 5.5m height buildings and then a further setback requirement for 8m. (subject to testing). Tony Milne considers a minimum setback of 15m for a 5.5m height building would be appropriate in this location.</p> <p>Wendy Chartres-Moginie is of the view that this approach will prevent potential erosion of the overall legibility of the distinctive natural escarpment landform associated with Kimiakau / Shotover River ONF.</p>
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		<p>Tony Milne and Wendy Chartres-Moginie consider that the LDR zoning for the H2 subzone should have a density provision 1:450m² being retained (as notified) rather than 1:300m².</p> <p>Wendy Chartres-Moginie is of the view that as a result of increased density proposed by the variation (up to 15 dwellings potentially located along the escarpment edge) coupled with the proposed 2m setback, an unacceptable loss of amenity will result for the property at 53 Max's Way including:</p> <ul style="list-style-type: none">- Loss of views to Coronet Peak, Mt Dewar, Slope Hill, & Crown Range.- Privacy and loss of sunlight- Dominance / sense of spaciousness- Interrupted skyline. <p>David Compton-Moen disagrees with all the above points and considers that the proposed change in setback to be assessed is one from 4m to 2m and this change will not result in adverse effects on the property at 53 Max's Way.</p> <p>Stephen Skelton does not consider views to Coronet Peak or Mt Dewar to be adversely effected by the TPLM Variation. His</p>
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		<p>considerations are limited to the integrity of the terrace escarpment and potential dominance of built form as experienced from 53 Max's Way.</p> <p>David Compton-Moen considers that the existing series of mitigation measures established as part of the existing consent (for the Koko Ridge Ltd site) sufficiently address impacts on visual amenity and views</p> <p>David Compton Moen considers that the effect of the setback provisions proposed within the evidence of Wendy Chartres-Moginie would be significantly punitive in the context of what is already consented for the Koko Ridge Ltd site in terms of setbacks, and that overall the level of change brought about by the TP-LM Variation when considered against what is consented is moderate to low.</p>
<p>6. Glenpanel- Matters Arising from Evidence</p>	<p><i>In regard to Building Heights in the Glenpanel Precinct</i></p> <p>Tony Milne and David Compton-Moen agree that:</p> <p>An increase in building height (to 17m) can be absorbed in this location in association with increased setback from the Homestead and the retention of vegetation within this Precinct.</p>	<p><i>In regard to Building Heights in the Glenpanel Precinct</i></p> <p>Stephen Skelton is open to considering that (with reference to adjoining building heights proposed in the TPLM Variation) increased height in this location may be appropriate in association with increased setbacks and the</p>

	<p><i>In regard to Slope Hill</i></p> <p>The experts agree that:</p> <p>Anticipated built form within the TPLM variation area will obscure some views of the lower slopes of Slope Hill, with the overall integrity of the landform essentially being retained.</p> <p>Key attributes being retained are the visual mid & upper slopes.</p> <p><i>In regard to Vegetation Removal</i></p> <p>Tony Milne, Stephen Skelton, Wendy Chartres-Moginie & David Compton-Moen agree that:</p> <p>It is appropriate that an assessment process is provided, involving specialist arborist advice for the potential retention of existing trees.</p>	<p>retention of vegetation in the 'Precinct'. However Mr Skelton has not undertaken a full assessment of this matter, including testing, and as such is unable to record a position at this time in this JWS.</p>
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