

My name is Karen Ramsay we own 107 Atley Road.

I was raised in Queenstown and moved to Arthurs Point in the late 1980's firstly renting before purchasing our first home on McChesney Road in 1990. From this vantage point for over a decade we relished the rural aspects of Arthurs Point including overlooking the area in question that rezoning is being requested for. I was one of the instigators forming the Arthurs Point Community Association primarily at the time to ^{facilitate} instigate the installation of reticulated services to old Arthurs Point, installation of a cycling track to Queenstown but also spent some time involved with sherits popular before "have your say", where the community came together (at the pub so attendance was high) over several weekends with the Council and planners to discuss the new Arthurs Point. At the time this area was undeveloped and the process was to gather ideas to develop a masterplan for the area that would compliment the existing rural aesthetics that made AP unique. The predominant conclusion reached 30 years ago was to retain the rural character that made AP distinctive.

In late 1990 we purchased our property in Atley Road and built in 2001 attracted to the "other side of the river" because of the rural feel, space, tranquillity, lack of urban amenities such as street lighting giving us an ^{unenviable} lack of light pollution - even the dirt road which serves to dissuade sightseers and traffic nuisance. Whilst these reasons may seem insignificant it is relevant that of the 16 odd properties in this cluster of housing 12 have resided there for the past 20 years.

However, since this time I have lost count of how many submissions, resource consents, variations to resource consents, variations to variations of resource consents and appeals that have been lodged with regards to both the Gertrude Saddlery and the Murphy properties. The first that I can recall was in 2000 with the Murphy's application to build the castle - this was declined by the Planning Committee as they and I quote "found that the landscape values of this area were a significant natural resource for this area that had to be carefully managed to provide for the wellbeing of future generations". So began the appeals with the Environment Court granting permission in 2001 on the condition that "the consent holder retain and maintain existing larch trees to the extent they were not to be pruned to any extent that would compromise the ability of the trees to act as an effective screen". The trees have now been removed.

An application to put in the accessway to the current cluster of structures in the Murphy's lawyers words

Our clients have an agreement with the neighbour Mr and Mrs Swan that access to their site can be obtained by easement across the Swan property running from the existing vehicle access way to the Swan house around the rear of the hill and then coming in through the trees to the rear of the proposed dwelling site. The accessway will be through trees and will not be visible from any public viewpoint. This change completely removes the issue of adverse visual impact of the accessway.

The trees have now been removed.

An application in 2006 to house the applicants mother in laws doll collection was approved because it was screened behind larch trees. "Therefore a de minimus effect on privacy is predicted." Note the shed was to be removed when no longer required for storage purposes.

The trees have now been removed - I think the shed remains.

RM110701 for a boundary adjustment in 2011 by the Murphys included as a condition of consent the removal of the shed (round haybarn below the site in question), this shed is not only still there but is used as a commercial Air BNB.

Whilst I may appear to be an activist for the retention of the removed trees I am now enjoying quite the opposite as the site cleared provides a foreground for a number of outstanding natural features including Qtn Hill and Cecil Peak previously obscured, however the hill itself is an important component of these landscape features and should not be further cluttered.

On to the roading - RM110238 – to provide access to the proposed subdivision (this was for 9 lots on the Murphy land) in addition to existing development, this ROW (referring to the gravel section of Atley Road by Lakes Environmental Planning Principal Jenny Carter) would need to be upgraded to a legal width of 18m, with a formed width of 6m and a 1.4m wide footpath. The applicant (Murphy) has advised that this cannot be achieved, due to physical constraints and the multiple ownership of the land needed for the increased width. However, Mr Bartlett's submission for 54 properties is only to provide a 5.5m carriageway? The section of road that adjoins our property has a reasonable gradient and in winter being on the south side of the bank is notorious for both ice and snow retention, there also does not appear to be the room to provide any stormwater infrastructure which is also an issue in a rain event. As it is effectively a 950 metre long cul de sac so there is no alternative access, an incident on this stretch of road would not allow access for emergency services. Under the NZ fire guidelines a fire truck requires a minimum of 4 metres carriageway – I measured one of our vehicles this am and it appears to be around 2.4 metres wide (if they are able to pass wing mirrors would be optional). I am also intending to verse myself on the use of carabenas as I am at a complete loss as to how it will be possible for us to access the outside of our hedge if it indeed survives the engineering feat required to widen this carriageway!

I am not going to go into any detail the fiasco the QLDC have made of the ONL/ONF area as I consider this is the reason we are here today - I will leave this to the APONLS but a summation of the High Court hearing held in July 2020 with judgement issued in February 2021 states that the decision under appeal concerned the mapping of lines to identify outstanding natural landscapes and their boundaries and whether or not the QLDC had followed a fair process in its treatment of the Arthurs Point area during its proposed plan change processes. Judge Jackson found there were serious problems with the planning maps because they did not show the outstanding landscape boundary and that the Council did not comply as they had notified a summary of decisions that was unfair and misleading.

Unbelievably in April 2022 the QLDC again asked for feedback and I quote "Your opportunity to be heard on the future of our iconic landscapes" ironically after having spent hundreds of thousands of dollars in court cases defending the very same mistake they made in 2015 again providing the public with the incorrect ONL area on the map for Arthurs Point that they were asking for comment on.

My current employment includes managing a design review process so I am at a loss as to how the subdivision plan submitted by Gertrude Saddlery can be considered when this process is around zone change. From experience and forgive me if I am misunderstanding this process, the zone change requested must determine what could be built not what Gertrude Saddlery/Murphys say they intend to, as, if the property were to change hands a new owner could or would revert to what the land has been zoned or rezoned for. Thus it appears to exclude the majority of the evidence

submitted by the expert witnesses where their evidence or findings appear to be based on a subdivision plan that has not been approved nor is it binding.

So whilst acknowledging that a small portion of the site can and will possibly be developed as long as the road, associated infrastructure and the appropriate subdivision consents are gained, the proposed rezoning of land that sits within an ONL being the highest protected landscape category and should not be compromised. If the legality of the ONL is being called into question the change from Rural to include LDSR and LLRB should be declined because of the issues with providing the minimum standard of access required, the identified issues with the Council infrastructure already being at capacity and result in adverse effects on our neighbourhood and detract from rather than maintain the amenity values enjoyed currently.