

Before Queenstown Lakes District Council

In the matter of The Resource Management Act 1991

And The Queenstown Lakes District Proposed District Plan Topic 12
Upper Clutha Mapping

SUMMARY STATEMENT OF EVIDENCE OF BEN ESPIE FOR

Sunnyheights Limited (previous submitter Crosshill Farm Limited (#531))

Dated 9 June 2017

Solicitors:

Maree Baker-Galloway | Rosie Hill
Anderson Lloyd
Level 2, 13 Camp Street, Queenstown 9300
PO Box 201, Queenstown 9348
DX Box ZP95010 Queenstown
p + 64 3 450 0700 | f + 64 3 450 0799
maree.baker-galloway@al.nz | rosie.hill@al.nz

**anderson
lloyd.**

Introduction

- 1 My name is Benjamin Espie.
- 2 My evidence in chief dated 4 April 2017 outlines my experience and qualifications relevant to this evidence in respect of the Upper Clutha mapping hearings.
- 3 In summary, my opinion regarding landscape categorisation in the relevant vicinity is shown on Appendix 4 of my evidence in chief. By way of correction, the eastern two “ONL” labels on that plan should read “ONF”, as I consider that the Clutha River corridor is an ONF and not and ONL, as I set out in my evidence in chief. In this regard, I am in agreement with the PDP and Dr Read’s original report¹.
- 4 To take the above correction into account, I attach an amended version of my landscape categorisation line to this summary as Appendix 1.
- 5 There is considerable agreement between myself and Ms Mellsop regarding landscape categorisation in the vicinity of Crosshill Farm. An area that consists of lower terraces and escarpment landforms in the south-east corner of the relevant landholding remains in contention. Ms Mellsop identifies this area as being part of a Clutha and Hawea River confluence landscape that she categorises as an ONL. I disagree and consider that this area is more appropriately categorised as part of the broad surrounding landscape which, while pleasant and of a rural character, is not particularly natural or outstanding.
- 6 In my opinion the Clutha River corridor is an ONF. In relation to other types of ONFs, a river corridor is, by definition, long and thin in terms of its shape. When the Clutha comes to a confluence with some other watercourse, there is always going to have to be a decision made regarding how much of the confluence/delta area should be included within the feature of the Clutha River corridor. I have concluded that the most correct situation is as I set out on Appendix 1 of this summary (and Appendix 4 of my evidence in chief). I consider that this protrusion from the Clutha River corridor at the Hawea confluence is:
 - genuinely part of the feature of the Clutha River corridor itself;
 - distinct from the surrounding landscape (which is a pleasant, rural, farming landscape but not one that is particularly natural or outstanding);
 - natural in terms of landform (as almost all landscapes are) but is also particularly natural in terms of vegetation, featuring dense and intact native remnant vegetation cover;

¹ Marion Read, “*Report to QLDC on appropriate landscape classification boundaries within the district, with particular reference to outstanding natural landscapes and features*”, dated 1st of April 2014.

- is largely in DOC ownership and therefore has not been modified by many decades of farming use in the way that the surrounding landscape has;
- is dramatic in terms of its aesthetics; a curving sinuous section of river running through an incised, naturally vegetated gorge.

- 7 Ms Mellsop suggests that categorising this very lower part of the Hawea as being part of an ONF while maintaining that the rest of the Hawea is not an ONF or ONL is contradictory². I disagree. For the reasons set out above, I consider that it is logical for the Clutha River corridor ONF to expand in width at confluence areas to take in some of the confluence/delta landform. This is what I have done on the plan that forms Appendix 1 to this evidence (and Appendix 4 to my evidence in chief). The confluence area I have identified is distinct from the surrounding farmland and has clear boundaries. My line generally follows the top of the legible escarpments on the true left of the Hawea River that enclose this confluence delta area. On the true right my line follows the top of the closest river escarpment so as to exclude all the significantly modified land from the ONF. I consider that this confluence area is logically part of the Clutha River corridor ONF.
- 8 I consider that the area of terrace and escarpment landform that Ms Mellsop identifies as being part of the ONL is not distinct from the farming landscape that surrounds it (which is categorised as RLC); is no more natural than the surrounding farm land since it is modified and managed in exactly the same way; and, while aesthetically pleasant, is not dramatic, sublime or outstanding in the way that genuine ONLs or ONFs are.
- 9 Unlike Dr Read and myself, Ms Mellsop contends that the Clutha River corridor is an ONL rather than a ONF. She notes that it is very large (over 1,600 hectares) and therefore is a landscape rather than a feature³. As I mention above, the Clutha River corridor has clear boundaries and is relatively narrow (as is expected in relation to a river corridor). Even Ms Mellsop's large Clutha River corridor ONL is often approximately 1.1 kilometres wide. This does not accord with the guidance regarding the minimum size of landscapes that was given in the seminal Environment Court decisions regarding landscape categorisation in the Upper Clutha area⁴. The Clutha River is surrounded by farmland that is not particularly natural or outstanding and that is certainly not part of the river corridor. Landscape categorisation must be done at a particularly large scale. In my opinion, the vast farmland area of the Upper Clutha Basin floor is a landscape in its own right. A river corridor that cuts through this farm land is, in my opinion, clearly a feature rather than a landscape. I consider that this accords with the seminal Environment Court decisions regarding landscape categorisation in the

² Rebuttal evidence of Helen Mellsop, dated 5th May 2017, paragraph 4.20.

³ Ibid, paragraph 4.18.

⁴ Environment Court decision C73/2002, W.E.S.I vs. Q.L.D.C. (particularly paragraph 20);

Upper Clutha area⁵, particularly the finding that a feature is a “distinctive or characteristic part of a landscape⁶”. The Clutha River corridor fits this definition.

10 For all of the reasons given above and in my evidence in chief, I consider that the correct landscape categorisation is as per Appendix 1 to this evidence.

Dated this 9th day of June 2017

Ben Espie

⁵ Environment Court decision C73/2002, W.E.S.I vs. Q.L.D.C. (particularly paragraph 20); and Environment Court decision C129/2001, W.E.S.I vs. Q.L.D.C. (particularly paragraphs 32 and 33).

⁶ Environment Court decision C129/2001, W.E.S.I vs. Q.L.D.C, paragraph 33.