

Before the Independent Hearings Panel
At Central Otago District Council

Under the	Resource Management Act 1991 (RMA or Act)
In the matter of	an application for subdivision and land use consent to establish another 44 residential allotments in the rural resource area at 112 & 144 Ripponvale Road, Cromwell (RC250155)
And	New Zealand Cherry Corp (Leyser) LP Applicant

Memorandum to the Panel in response to Minute 3 regarding visual simulations

17 August 2026

Applicant's solicitor:

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**anderson
lloyd.**

Introduction

- 1 New Zealand Cherry Corp (Leyser) LP (**Applicant**) has made an application to the Central Otago District Council (**CODC** or **Council**) for subdivision consent and land use consent (RC250155) to establish an additional 44 residential allotments in the Rural Resource Area (5) (**RRA(5)**) at 112 & 144 Ripponvale Road, Cromwell (**Site**).¹

- 2 This memorandum responds to Minute 3 of the Panel regarding visual simulations. Minute 3 directs:

[7] The **Applicant** is to advise the Panel by or before **5pm Monday 17 August 2026** regarding whether it considers visual simulations would materially assist the Panel's assessment and, if so, the timeframe required to prepare them.

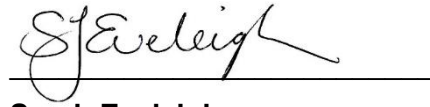
- 3 Following further consideration, the Applicant does not propose to prepare visual simulations. While the Applicant acknowledges that visual simulations may provide some assistance to the Panel, it considers that the time and cost associated with procuring them would be disproportionate to any likely benefit. In reaching that view, the Applicant has particularly considered the Commissioners' record in Minute 2² that both landscape architects are comfortable that they understand the visual effects of the proposal, and the Commissioners' view that visual simulations may offer limited additional assistance.
- 4 However, the Applicant's position should not be taken as suggesting that the relevance of visibility is diminished. Ms Harshey's evidence was that there is broad agreement between the landscape architects as to visual effects, but disagreement as to the landscape effects, particularly effects on openness and coherence, in RLA6. That is correct, however Mr Milne is of the view that the visibility of the physical attributes of the open pastoral landscape and gently sloping landform is integral to the landscape values of spaciousness, openness and legibility.
- 5 Accordingly, if the Panel considers that visual simulations would materially assist in its assessment of the Application, either now or after considering the further information provided in response to Minute 2, the Applicant would be pleased to procure and provide them. In that event, the Applicant will promptly advise the Panel of the scope of work required and the

¹ Legal Description(s): Section 54 Block III Cromwell Survey District, Section 26, 100 Block III Cromwell Survey District, Section 27-28, 96, 99, 102 Block III Cromwell Survey District, Lot 2 Deposited Plan 330709 and Section 4, 11, 98, 101, 103 Block III Cromwell Survey District and Part Section 5, 25 Block III Cromwell Survey District and Part Run 1201R.

² Minute 2, paragraph [19]

anticipated timeframe for completion (noting this is likely to be in the order of 6 weeks).

Dated this 17 August 2026

A handwritten signature in black ink, appearing to read 'S Eveleigh', is written over a horizontal line.

Sarah Eveleigh

Counsel for New Zealand Cherry Corp (Leyser) LP