

Before an Independent Hearings Panel
Appointed by Mackenzie District Council

under: the Resource Management Act 1991

In the matter of: Proposed Plan Change 28 to the Mackenzie District Plan

and: **Church Property Trustees**
(Submitter 43)

Statement of Evidence of David Alan Pearson (Heritage)

Dated: 16 May 2025

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STATEMENT OF EVIDENCE OF DAVID ALAN PEARSON FOR CHURCH PROPERTY TRUSTEES

INTRODUCTION

- 1 My full name is David Alan Pearson.
- 2 I graduated from the University of Auckland in 1973 with the degree of Bachelor of Architecture. I am currently a registered architect and an Associate of the New Zealand Institute of Architects. Altogether, I have had over 50 years' experience working as an architect.
- 3 In 1996, I established my own architectural practice with the aim of specialising in heritage and conservation architecture. I have also attended specialist conservation courses at the University of York in the UK. Today, I remain principal of the firm, now known as DPA Architects.
- 4 Since it was established, DPA Architects has grown in size to a staff of 13 and conservation architecture continues to be the mainstay of the firm's work. Over the years, a number of our projects have been recognised by the receipt of various awards from institutions including the NZ Institute of Architects and UNESCO.
- 5 Since the Canterbury earthquakes of 2010-2012, DPA Architects has been extensively involved in projects in Canterbury extending from Waiau down to Timaru that required earthquake remediation and seismic upgrading.
- 6 Notable projects during that time have included overseeing the restoration of the Arts Centre of Christchurch and various churches including St Barnabas in Fendalton, along with reconstruction of the Lyttleton Timeball and the restoration and structural upgrading of the Hurunui Hotel in North Canterbury. Current projects include the redevelopment of the Canterbury Museum and the restoration of the Cuninghame glasshouse in the Botanic Gardens.
- 7 My experience also includes assessing the impacts of development on heritage sites. In addition, I have also appeared at numerous council and local authority hearings, and I have previously appeared as a witness in the Environment Court.
- 8 Although I have not visited the site prior to this hearing, I am familiar with the church and its surrounds, having visited the site on various occasions over the years.

CODE OF CONDUCT

- 9 I have read the Environment Court's Code of Conduct for Expert Witnesses in its Environment Court Practice Note 2023 and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have

not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SUMMARY OF EVIDENCE

- 10 The Church of the Good Shepherd is sited on a promontory that extends out into the southern end of Lake Tekapo in the Mackenzie Country. Its foundation stone was laid by the Duke of Gloucester on 15 January 1935, marking the culmination of a project that began in 1933. This church, the first in the Mackenzie Basin, serves as a memorial to the pioneer runholders of the area and is recognized as a Category I historic place (list number 311) by Heritage New Zealand Pouhere Taonga. Category I historic places are places of special or outstanding historical or cultural significance.
- 11 The Mackenzie District Council's proposed Heritage Overlay, part of Plan Change 28, seeks to protect the church and the nearby sheepdog statue's heritage values by managing new developments within the area. The proposed overlay encompasses the church, its immediate surroundings, the promontory, and the sheepdog statue.
- 12 I fully support the establishment of the Heritage Overlay to manage potential changes around the church and statue. However, in its present state, I do not believe that Area 'A' contributes significantly to the heritage landscape. Consequently, in my opinion, Area 'A' does not need to be included to ensure that the heritage values of the church and the statue and their surrounds are sufficiently protected. The existing zoning controls offer sufficient oversight to ensure any future development does not detract from the heritage values of the area.
- 13 Mr Richard Knott's recommendation for a Heritage Setting, which includes Area 'A', lacks a compelling rationale. The primary viewpoints of the church are from Pioneer Drive and existing boundary setbacks will preserve these views irrespective of development in Area 'A'. Visitors will focus on the church's location in a spectacular landscape rather than the undeveloped land.
- 14 In conclusion, while I endorse the Heritage Overlay to protect the Church of the Good Shepherd and the Statue of Sheepdog, I believe the objectives of the overlay can be achieved without the inclusion of Area 'A'. Any future development of Area 'A' has to comply with the existing zone controls or require a resource consent, in which case it will be assessed for its consistency with the Lake Tekapo Character Design Guide.

SCOPE OF EVIDENCE

- 15 My evidence will deal with the following topics:

15.1 INTRODUCTION

Historical Background
Site and Context

Architectural Description

15.2 HERITAGE PROTECTION AND OWNERSHIP

Mackenzie District Plan
Heritage New Zealand Pouhere Taonga

15.3 PROPOSED OVERLAY

Purpose and Extent of Proposed Overlay
Impact of the Heritage Overlay

15.4 STATUS OF AREA 'A'

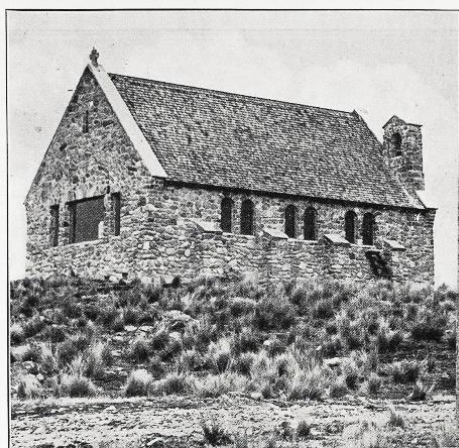
15.5 REPORTS PREPARED BY MR KNOTT

15.6 CONCLUSION

INTRODUCTION

Historical Background

- 16 The foundation stone for the Church of the Good Shepherd at Lake Tekapo was laid by the Duke of Gloucester on 15 January 1935. Construction of the building had begun in 1933 and it was finally completed in 1935. It was, in fact, the first church to be constructed in the Mackenzie Basin and was



LAKE TEKAPO MEMORIAL CHURCH DEDICATED
The new Church of the Good Shepherd, the foundation stone of which was laid by the Duke of Gloucester last January, was dedicated by Bishop West-Watson on Saturday. The church has been built as a memorial to the pioneers of the Mackenzie Country. —Staff Photographer

intended to serve as a memorial to the pioneer runholders of the area. The church was designed as a simple structure as New Zealand was, at the time, in the midst of the Depression. It was not the time for extravagant undertakings.

Early view of the church with a shingle roof.

- 17 The land for the church was donated by a local family, while descendants of Mackenzie Country pioneers sponsored most of the church's construction and fittings. A benefactor also bought and donated an adjoining piece of land to the west of the church so that it might continue to be viewed in isolation.

Site and Context

- 18 The Church of the Good Shepherd is sited on a promontory that extends out into the southern end of Lake Tekapo in the Mackenzie Country. From the promontory, visitors' eyes are drawn towards the north looking over the lake to the Godley River and the Sibbald Range in the far distance. Looking northeast are further mountains including Mt Dobson and the Tom Thumb Range, while to the west is the mouth of the Tekapo River, a range of hills and then to the northwest, the Gammack Range is seen in the distance.
- 19 The church is also slightly elevated, being positioned on a knoll above the road known as Pioneer Drive. It is also very much part of the landscape with its elevated position giving it prominence in the area. Its construction using stone gathered from the locality contributes to the sense that it is part of the wider setting.
- 20 The church is also surrounded by natural alpine vegetation – tussock and matagouri – and rock. To the south of the church is a parking area which is accessed off Pioneer Drive. From there, a set of stone steps provides access for visitors to the area immediately surrounding the building.
- 21 A short distance to the east of the church is a statue of a sheepdog on a plinth. The statue was erected to commemorate the border collies that Scottish shepherds brought with them to work the pastoral runs of the area in the nineteenth century.
- 22 Across the road from the church is an area of land which is currently grassed but otherwise essentially undeveloped. Beyond the empty site are a collection of single level dwellings and other buildings including holiday baches and motels.

Architectural Description

- 23 The architect for the church was R S D Harman. His design evolved from what was conceived as a traditional Gothic form to a simpler, more medieval building suited to the bleak landscape and which reflected his commitment to Arts and Crafts principles, including that of honest craftsmanship. The church was constructed from poured concrete and faced with local stone, with each boulder carefully chosen for its size, shape and colour. The stone, which was procured from within a five-mile radius of the site was left in its natural state.
- 24 Buttresses line the eastern and western sides of the church and a modest belfry rises from the south gable to the left of the arched entrance. A squat stone cross is positioned on the north gable. The existing roof of slate replaced the original roof of Oak shingles which failed to withstand the harsh alpine environment. Internally, the Arts and Crafts theme is visible where roughly plastered cream walls are contrasted with dark stained rimu roof trusses.

- 25 Inside the church are several carvings executed by sculptor, Frederick Gurnsey, including a representation on the altar of the Good Shepherd holding a lamb under one arm. In place of a reredos or stained-glass window, above the altar, a plate glass window spans almost the full width of the north elevation framing a view of the lake and mountains of the Southern Alps beyond.

Views of the Church

- 26 As Mr Richard Knott, Council's heritage advisor, has noted, the Church of the Good Shepherd and the Statue of Sheepdog are likely some of the most photographed historic items/site in New Zealand.
- 27 The majority of visitors to the site will arrive by private car travelling along Pioneer Drive. Pioneer Drive is a loop road that runs from an intersection with State Highway 8 to the south of the church. From there, Pioneer Drive heads in a northerly direction before curving to the right in front of the church in the shape of a rounded "V". The road then runs southeast to again connect with the state highway. Visitors to the site can approach the church from either direction along Pioneer Drive
- 28 Approaching the church directly from the south along Pioneer Drive, Google Maps indicate that the church can be seen in the distance from the state highway. As one continues along Domain Drive, the church remains visible all the way, although as one gets closer the view is somewhat marred by cars and camper vans in the carpark on the left-hand side.
- 29 Arriving from the southeast along the straight section of Domain Drive, the view of the church is somewhat obscured by existing residential dwellings and vegetation. As one approaches the bend in the road, the church comes into view. By the time the last house is passed, the church is fully visible.
- 30 To the south of Pioneer Drive directly across from the church is an area of land owned by CPT and referred to as Area 'A'. This area is currently proposed to be included in the heritage overlay as it is considered that any future development of this land could potentially negatively impact on the heritage values of the church and the Statue of Sheepdog.
- 31 By the time Area 'A' comes into sight, the church can clearly be seen and the eyes of visitors would be drawn to the church with its setting of the lake the Southern Alps. The view of the church would also not be impacted by any development on Area 'A', providing the boundary setbacks and other controls in the underlying zone are complied with.



View of the Church of the Good Shepherd from the south. Note the vacant land referred to as Area 'A' to the right and the existing carpark to the left (Google Maps).



View of church from the southeast. Note Area 'A', being the vacant land to the left (Google Maps).

- 32 The other significant view of the church is from across the Tekapo River to the west. From this viewpoint, Area 'A' also does not figure prominently.



View of the Church of the Good Shepherd from across the Tekapo River to the west (Google Maps).

HERITAGE PROTECTION AND OWNERSHIP

Mackenzie District Plan

- 33 The Church of the Good Shepherd is included in the Mackenzie District Plan Schedule 11 Heritage Items Schedule – Number H18. The nearby sheepdog monument is also included in the Mackenzie District Plan Schedule 11 Heritage Items Schedule – Number H45.

Heritage New Zealand Pouhere Taonga

- 34 The church is listed by Heritage New Zealand Pouhere Taonga as a Category I historic place (list number 311). Category I historic places are places of special or outstanding historical or cultural significance. Its legal

description is given as Pt Sec 1C Blk II Tekapo Village (RT CB440/39), Canterbury Land District.

- 35 The land occupied by the church is owned by the Church Property Trustees (CPT). The CPT are also the proprietors of the currently vacant land on the opposite side of Pioneer Drive.

PROPOSED OVERLAY

Purpose and Extent of Proposed Overlay

- 36 As part of Plan Change 28 to the Mackenzie District Plan, the Mackenzie District Council is proposing to establish a Heritage Overlay, as shown originally on page 32 of the s32 Report Part B. As stated in the s32 Report Part B, the purpose of Objective HH02 is to establish a Heritage Overlay to ensure that the historic heritage values of the Church of the Good Shepherd and the Statue of Sheepdog are maintained.
- 37 Plan Change 28 also includes Policy HHP7 in the heritage chapter of the District Plan. The policy seeks to be able to manage new buildings within the heritage overlay area and to ensure that new works do not detract from the historic heritage values of the scheduled heritage items. This will include the open space surrounding the scheduled items which contribute to the visual prominence of the Church. The policy will also encourage works that will contribute to the long-term viability, retention and on-going use of the heritage item.
- 38 The Heritage Overlay as now proposed would encompass the Church of the Good Shepherd and its immediate surroundings and include the promontory which extends out to the lake edge. It would also continue south along Pioneer Drive as far as the foot bridge over the Tekapo River and to the southeast to include the area between Pioneer Drive and the lake edge. The sheepdog statue would be included within the Heritage Overlay.
- 39 The overlay as originally proposed in the s32 Report Part B also extended over an area of land owned by CPT on the opposite side of Pioneer Drive, shown in the report as Area 'A'. Following consultation, Council proposed that the extent of Area 'A' to be included in the overlay be reduced slightly, with the intention that a small area of land should be set aside to enable toilet and tearoom facilities for staff to be provided at some future date without the need to apply for a resource consent.
- 40 In my opinion, this is a token gesture and is more likely to hinder any reasonable development of the land owned by CPT.

Impact of the Heritage Overlay

Land on the Lakeward Side of Pioneer Drive

- 41 In principle, I fully support the establishment of a Heritage Overlay in the vicinity of the church in so far as it applies to the landward side of Pioneer

Drive. At present, only the church itself is protected under the Mackenzie District Plan. The lack of protection has enabled the carpark to the south to be constructed, which could be considered to detract from the heritage values of the church, particularly when the view to the building from the south is partly interrupted by camper vans and the like, as can be seen in the photograph on page 7.

- 42 Although no further development is currently proposed for the lakeward side of Pioneer Drive in the area around the church, future development could potentially include the construction of toilet facilities and possibly a visitor centre in close proximity to the church. Without some heritage protection over the site there would be less control over what could become regarded as intrusive elements.
- 43 I therefore agree that the Heritage Overlay should include all the land between Pioneer Drive and the lake and extend southwards to the bridge and to the east to incorporate the dog statue. Any proposal for development within this area would then require an application for a resource consent, which would enable the proposal to be fully scrutinised and possibly subjected to a notified consent.

STATUS OF AREA 'A'

- 44 With respect to Area 'A', at paragraph [214] of the section 42A report the Reporting `Officer says:

I have also reviewed the PREC1 Chapter to assess whether the PREC1 provisions would provide enough protection for the Church on their own, across the remainder of Area A. The PREC1 provisions are intended to ensure that development within the Takapō / Lake Tekapo area is sympathetic to the character of the town and the surrounding landscape, and do not relate to heritage considerations. In my opinion, the Overlay and associated provisions are required, in addition to the PREC1 provisions, to ensure that adequate assessment of effects on heritage values can be undertaken, and to ensure that any development within Area A is capable of meeting Objective HH-O2 which seeks to maintain the heritage values of the Church of the Good Shepherd. I therefore recommend that the remainder of Area A remains subject to the Overlay.

- 45 I agree that the Overlay and associated provisions, in addition to the PREC1 provisions are necessary with respect to the land on the lakeward side of Pioneer Drive to protect the heritage values of the church and the sheepdog statue. In my opinion, the area surrounding the two heritage items forms an integral part of their heritage values and the provision of a heritage overlay is fully justified.
- 46 However, with respect to Area 'A' on the landward side of Pioneer Drive, it is currently undeveloped, comprising areas of grass and scrub with a small area of native planting. I would even suggest that, in its present state, the

empty land detracts somewhat from the church and its immediate surrounds. If it were to be sensitively developed with appropriate uses, it could make a positive contribution to the amenity of the area.

- 47 I therefore see little merit in including it in the Heritage Overlay as I do not believe that in its current state it makes any significant contribution to the heritage landscape.
- 48 Objective HH02 in the District Plan aims to ensure that the historic heritage values of the Church of the Good Shepherd and the sheepdog statue are maintained. In my opinion, Objective HH02 would still be satisfied without the inclusion of Area 'A'. I also believe that there are controls and other mechanisms in place that will ensure that the area is not developed in such a way as to detract from the church and the proposed Heritage Overlay.
- 49 For example, the land shown as Area 'A' is zoned Low-Density Residential and is within PREC1 - Takapō Lake Tekapo Precinct. The introduction section to the Low-Density Residential Zone states that its purpose "is to provide predominantly for suburban living with a range of site sizes and building types. Other activities including community facilities and retirement villages are also anticipated where they support the local population and are compatible with the character and amenity values of the zone."
- 50 Any proposed development in Area 'A' would therefore be subject to the relevant controls for the Low-Density Residential Zone in the Operative District Plan. These include a boundary setback to Pioneer Drive of 4.5 metres, a maximum height of eight metres, a minimum site area of 400 m² and a maximum of 40% site coverage.
- 51 The area to the south of Area 'A' accessed from Pioneer Drive and Sealy Street has previously been developed and is occupied by a collection of buildings that appear to comprise a combination of permanent dwellings, holiday baches and rental properties. The buildings are of low scale and are almost exclusively singled storied. The surrounds are well planted with shrubs and mature or semi-mature trees.
- 52 The overall impression is an area that is pleasant and well cared for and appreciated for its location near the lake. The area gives some indication as to how Area 'A' could be developed in the future.



View looking south across Area A to the existing area of low-density housing (Google Maps).

- 53 If Area 'A' was to be included in the heritage overlay, an application for a resource consent would need to be sought for every new structure above one metre in height. This would apply to new dwellings, carports and the like, even if they complied with the standards for the underlying Low-Density Residential zone. Similarly, a resource consent would be required for any new activity even if it was a permitted activity in the zone.
- 54 The Lake Tekapo Character Design Guide¹ prepared for the Mackenzie District Council is a well-considered document that has been designed to ensure that future development within the township and the Takapō Lake Tekapo Precinct respects the natural environment and remains consistent with its existing character.
- 55 The guide analyses the existing context in terms of the wider landscape and the characteristics of the existing built forms within the existing residential areas. It then provides guidance on what would be considered to be an acceptable scale of any new building, what the roof forms might be like, how architectural features may be incorporated, the size of windows and other openings, suitable cladding materials and colour, retaining walls and level changes, fencing and screening, plantings and hard landscaping.
- 56 In my opinion, the application of the principles of the Design Guide on any future development of the land owned by CPT will ensure that it remains as an attractive environment and one that will not detract from the proposed heritage overlay or the heritage values of the two heritage items. The boundary setbacks are appropriate and will ensure that the church will remain visible when approaching it along Pioneer Drive from either direction.

REPORTS PREPARED BY MR KNOTT

- 57 Mr Richard Knott, Director of Richard Knott Limited, was commissioned by the Mackenzie District Council to carry out a review of the heritage items in the District Plan. In 2024, he prepared a report dated 4 July entitled *Mackenzie District Plan Review Historic Heritage Assessments*. In his report, he makes a recommendation for a Heritage Overlay to be placed over Burkes Pass Township and for a total of nine buildings and structures to be added to the Heritage Items Schedule in the District Plan as Individual Heritage Items.
- 58 The heritage values of Burkes Township and the individual heritage items were then assessed under criteria that include Historical and Social, Cultural and Spiritual, Architectural and Aesthetic, Technological and Craftsmanship, Contextual and Archaeological or Scientific.
- 59 In his report, Mr Knott also recommended that a new Heritage Setting be created to encompass the Church of the Good Shepherd and the sheepdog statue. He also suggested that the Setting should include the area marked

¹ Takapō | Lake Tekapo Character Design Guide And Medium Density Residential Design Guide, Mackenzie District Council, April 2023

as Area “A” on the opposite side of Pioneer Drive. The single page in his original report that made the recommendation for a Heritage Setting provided no analysis of the heritage values of the site or any reasoning as to why he believed Area “A” should be included.

60 Included in the s32 Report prepared for PC28 is a separate report by Mr Knott which provides a series of reasons as to why he recommended that a heritage overlay be put in place for the Church of the Good Shepherd and the sheepdog statue. These included:

- *The Good Shepherd and the Statue of Sheepdog are likely some of the most photographed historic items/site in New Zealand.*
- *An essential feature of these two heritage items is the space around them; they are viewed against the backdrop of Lake Tekapo and Mt Dobson, with existing urban development (including the housing accessed from Pioneer Drive and Sealy Street) set away from them by a large area of currently unfenced open land.*
- *The existing car, campervan and coach parking which occurs in the immediate local area already negatively impacts on the setting of the heritage items.*
- *The construction of buildings or structures on the northern and western side of Pioneer Drive within the proposed setting would have a very significant negative effect on the apparent openness and spaciousness of the land around the heritage items, to the detriment of the heritage values of these two historic heritage items, and any built development will need to be very carefully managed on the eastern and southern side of Pioneer Drive to manage the potential negative effects on the heritage items.*

61 While I generally agree with these comments, Mr Knott still provides no definitive reasons why he believes that Area ‘A’ should be included as part of the heritage setting, other than to imply that the open area of land is necessary to separate the urban development from the proposed heritage setting.

62 In his report, Mr Knott also states that “*the space and the building and the views of it within its surrounding natural environment make a significant contribution to the heritage values of the church*”. I agree with this statement and fully believe that the area surrounding a heritage building should generally be considered to be an integral aspect of its heritage values.

63 In my view, however, Area ‘A’ which I have previously described as being undeveloped with grass and scrub (including a small area of native planting) makes little contribution to the heritage values of the area. In my opinion, visitors to the church will take little cognisance of an area of land across the road that is essentially bare and covered with grass. Rather, they will be concentrating on the view towards the church to the north and its location within a spectacular landscape.

- 64 I also note that the current urban development beyond Area 'A', which comprises small scale dwellings in a well-maintained and planted landscape provides an appropriate and not unattractive backdrop to the church and the sheepdog statue. Area 'A' could be developed in a similar fashion without compromising the areas heritage values.
- 65 Mr Knott produced a further document entitled "Response to Submissions". On page 5, he has considered a series of primary viewpoints. The first two viewpoints are as follows:
- *From the south of the church, close to the eastern end of the pedestrian bridge (an elevated vantage point), recognising this as a key arrival point for visitors to the church.*
 - *From the east the Church from Pioneer Drive, recognising this as a key arrival point for visitors to the church.*
- 66 He then describes three further viewpoints including the view from Council owned land forming part of the south end of Area 'A'. He acknowledged that these viewpoints were not considered, which leaves only the views along Pioneer Drive from the south and the southeast.
- 67 In short, I would agree with Mr Knott that the two primary viewing points of the church are from the south and the southeast along Pioneer Drive, rather than any view from Area 'A', being privately owned land.
- 68 It is unlikely that potential development on Area 'A' would impact the primary viewing points, as the existing boundary setback rules will allow the church to remain visible when approaching it along Pioneer Drive from either direction.

CONCLUSION

- 69 Included in PC28 is a proposal to create a Heritage Overlay in the Tekapo Township between Pioneer Drive and Lake Tekapo with the intention of ensuring that the heritage values of the Church of the Good Shepherd and the Statue of Sheepdog are maintained.
- 70 The proposed overlay also includes an area on the opposite side of Pioneer Drive shown on plans as Area 'A' that is currently owned by the Church Property Trustees. This area of land is currently undeveloped.
- 71 I support the establishment of the Heritage Overlay as a way of managing any changes that might be proposed to the area surrounding the church and the sheepdog statue. With respect to Area 'A', I am of the opinion that the objectives of the Overlay can still be achieved without the inclusion of this piece of land area and see no particular reason why it should be included in the Overlay.
- 72 For these reasons, I do not support the inclusion of Area 'A' in the proposed Church of the Good Shepherd Heritage Overlay.

Dave Pearson, B Arch ANZIA