

**IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH  
I TE KŌTI TAIAO O AOTEAROA  
KI ŌTAUTAHI**

**Decision No. [2024] NZEnvC 291**

IN THE MATTER of the Resource Management Act 1991

AND appeals under clause 14 of the First Schedule of the Act concerning Stage 2, Topic 31 of the Proposed Queenstown Lakes District Plan

BETWEEN ANTONY STRAIN, SARAH STRAIN & SAMUEL STRAIN

(ENV-2019-CHC-56)

AND WAKATIPU EQUITIES LIMITED

(ENV-2019-CHC-65)

Appellants

AND QUEENSTOWN LAKES DISTRICT COUNCIL

Respondent

Court: Environment Judge J J M Hassan  
Environment Commissioner A C E Leijnen

Hearing: at Queenstown on 25 September 2024

Appearances: M Baker-Galloway and L McLaughlan for the appellants  
S Scott for the respondent

Last case event: 7 October 2024

Date of Decision: 20 November 2024

Date of Issue: 20 November 2024

---

**DETERMINATION OF THE ENVIRONMENT COURT  
Topic 31, subtopic 2, Group 3 – Central Basin appeals**

---

STRAIN & WEL v QLDC – DECISION



- A: The upzoning of each site to the Modified WBRAZ zoning bespoke to each site and the associated amendments to the PDP as set out in Annexure 2, is the most appropriate zoning outcome for the purpose of achieving relevant PDP objectives.
- B: QLDC Queenstown Lakes District Council is directed to update the PDP and the planning maps to give effect to A, above, and to file a reporting memorandum as to that once completed.
- C: There is no order as to costs.

## REASONS

### Introduction

[1] This is a determination, following settlement, of two appeals on zoning outcomes for the Wakatipu Basin. That is as part of the staged determination of appeal points in the Queenstown Lakes District Plan Review ('PDP').<sup>1</sup>

[2] The appeals are against Wakatipu Basin Rural Amenity Zone ('WBRAZ'). The appeal by Antony, Sarah and Samuel Strain ('Strain') concerns their land, called 'Summerhill', on Slopehill Road ('Strain Site') which adjoins the existing Threepwood development. The appeal by Wakatipu Equities Ltd ('WEL') concerns its land known as "Speargrass Domain" at 258 Speargrass Flat Road ('WEL Site').

[3] Both appeals sought upzoning from the WBRAZ zoning confirmed by QLDC's decisions to WBRAZ Lifestyle Precinct ('Precinct').<sup>2</sup> The WEL appeal also sought associated changes to provisions of Chs 24 and 27 and to PDP Sch

---

<sup>1</sup> The appeals are identified as 'Topic 31, subtopic 2, Group 3 – Central Basin appeals, Slopehill to Hawthorn'.

<sup>2</sup> The Strain Site is legally described as section 2 SO 90, Block V, Shotover Survey District.

24.8.<sup>3</sup> As we explain shortly, the settlement reached for each site modifies that relief to pursuit of a modified WBRAZ zoning outcome bespoke to each site ('Modified WBRAZ').

[4] Parties confirmed their settlements following evidence exchange. Their initial requests were for the court to endorse the settlements by consent orders under s279, Resource Management Act 1991 ('RMA').<sup>4</sup> The court informed parties that the more appropriate course would be for parties to support their joint request with evidence that would satisfy the court that their settlements are soundly justified according to the relevant RMA requirements. That was particularly given that:

- (a) the expert landscape and planning evidence that the court had commenced to pre-read revealed a significant divergence – the witnesses called by the appellants supporting the then-pursued relief, and those for QLDC opposing it as inappropriate; and
- (b) the settlement was not to uphold the status quo zoning outcomes under appeal but sought to materially modify relevant provisions of Chs 24 and 27 for each of the appeal Sites (albeit on a basis that satisfies QLDC as being appropriate).

[5] In accordance with the court's directions, the parties filed joint witness statements ('JWS') by the landscape and planning experts in support of the settlements reached ('JWS – landscape (2)'; 'JWS – planning (2)').<sup>5</sup> That included agreed associated proposed PDP provisions to implement a Modified WBRAZ outcome for each Site.

[6] To assist our understanding of that updated evidence, the court viewed the

---

<sup>3</sup> The WEL Site is legally described as Lots 1-7 DP 301330.

<sup>4</sup> Joint memorandum on behalf of Strain and QLDC, dated 16 September 2024.

<sup>5</sup> JWS – landscape (2) signed by Steve Skelton and Bridget Gilbert dated 18 September 2024. JWS – planning (2) signed by Nick Geddes, Ben Farrell and Matt Bonis, dated 19 September 2024.

Sites according to the parties' recommended itinerary. The hearing was then convened and witnesses called, according to so-termed 'hot-tubbing' procedures, for court questioning.

[7] Parties relinquished their rights of cross-examination. However, the court granted leave to ask questions arising from the court's questioning of any expert.

[8] Following the testing of that evidence, and prior to making directions, the court made the observations recorded in Annexure 1 to this decision. Those observations accord with the settlements reached. We confirm them as our findings on the evidence as to why we determine that the Modified WBRAZ zoning outcomes are the most appropriate for each Site.

[9] There are no s274 parties to either appeal.

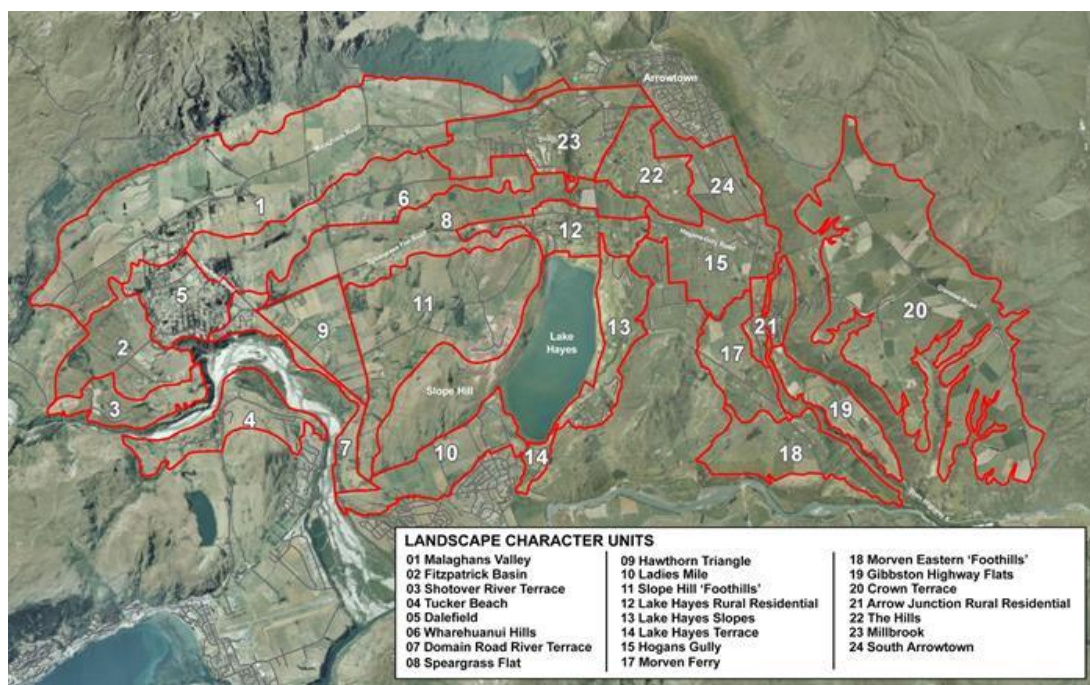
## **Background**

### ***The appealed decisions***

[10] We have duly considered the appealed decisions, including the reasons given for confirming WBRAZ zoning for each Site. However, as those reasons are in essence overtaken by the settlements reached, we do not accord the decisions significant weight.

### ***The landscape and the Sites***

[11] Within the design of the Wakatipu Basin regime, PDP Sch 24.8 identifies and maps 24 'landscape character units' across the Basin. That is in order to assist to fulfil the zone intentions as to the maintenance or enhancement of the landscape character and visual amenity values of the Basin. According to that regime, each of the appeal Sites is within LCU 11: Slope Hill 'Foothills', as depicted in the following Sch 24.8 map:



[12] As can be observed, LCU 11 borders Slope Hill and Lake Hayes, which are together noted as an Outstanding Natural Feature ('Lake Hayes ONF') under the PDP.

[13] As the landscape experts explain:<sup>6</sup>

- (a) the Strain land (including the appeal Site) is a broadly rectilinear, approximately 30ha block located on the eastern side of Slopehill Road (east);
- (b) the WEL land (including the appeal Site) is a non-rectangular, approximately 130ha working rural property that straddles LCU 11 and LCU 8: Speargrass Flats.

[14] For the purposes of Chs 24 and 27, Sch 24.8 prescribes a rating of relevant 'capacity to absorb additional development' (also referred to as 'landscape capacity') according to a six-point evaluative scale.

[15] Under this scale, LCU 11 is prescribed as having Low capacity. Each of

---

<sup>6</sup> JWS – landscape, dated 21 September 2022 at [7] and [8].

the appellants seeks that this rating be changed to Moderate for parts of their appeal Sites. According to the design of Sch 24.8, it is open to prescribe a different landscape capacity rating for identifiable areas within a LCU. Whether or not that is appropriate is a matter of landscape assessment. However, as we discuss, the ultimate position is that the landscape experts support what is now proposed under the settlements reached in these appeals.

### **Statutory framework and legal principles**

[16] In our de novo consideration of the appeal, we have the same powers, duties and discretions that QLDC (and its independent commissioners) had in regard to the PDP decision under appeal (s290, RMA). We have regard to that decision (s290A, RMA).

[17] We evaluate available zoning options for what is most appropriate for achieving relevant PDP objectives. The relevant objectives and related policies are beyond challenge and we treat them as operative. They are in PDP Chs 3 (Strategic Directions), 24 (Wakatipu Basin) and 27 (Subdivision and Development). We discuss those of most relevance in the context of related findings.

[18] We evaluate rules with regard to the actual and potential effect (including adverse) on the environment of the activities they would enable. The evaluation is predictive. It is concerned with the future environment within which enabled activities would be undertaken. In this appeal, our focus is primarily on the state of the future receiving 'landscape'.

[19] We evaluate these matters mindful that the preparation of the PDP is to be in accordance with QLDC's s31 functions and pt 2, RMA and that the PDP must give effect to relevant regional and national policy instruments. However, as the operative PDP objectives and policies already give effect to those instruments, we do not report separate findings on those instruments. That is not a matter of contention.

### ***The available zoning options and jurisdictional scope***

[20] In terms of that statutory framework, within the jurisdictional scope of each appeal, we may determine an appropriate zoning outcome for the Site within the spectrum of the status quo WBRAZ and the Precinct rezoning pursued by each appellant. That can include some modification of either of those zoning outcomes.

[21] Within that spectrum, the consensus of the evidence strongly favours the Modified WBRAZ zoning outcomes that the settlements pursue for each Site. On that evidence, we find all other zoning outcomes inappropriate.

[22] We accept counsels' consensus submission that a Modified WBRAZ outcome for each Site is within the jurisdictional scope. That is as relief that is comfortably within the spectrum between the Precinct upzoning initially pursued and the status quo unmodified WBRAZ that is the subject of each appeal.

### **The Modified WBRAZ zoning now pursued**

#### ***Strain Site***

[23] The Modified WBRAZ relief now pursued for the Strain Site is in summary as follows:

- (a) uprating of the present Low landscape capacity rating to Moderate for a mapped area of LCU 11 within the appeal Site to be described in Sch 24.8 as 'East of Slopehill Road' and making associated changes to the description of LCU 11 in Sch 24.8;
- (b) modifying provisions in PDP Chs 24 and 27 so as to reflect an enhanced landscape capacity for subdivision and development of that denoted area of LCU 11 as follows:
  - (i) adding a new sub-clause to Pol 24.2.1.5 (a policy prescribing outcomes for particular parts of the Wakatipu Basin, commencing "Ensure the following outcomes in the

consideration of any proposal for subdivision or residential development:”) is proposed as follows:

- x. in the part of LCU 11 described in Schedule 24.8 as East of Slopehill Road:
  - i. Minimise the visibility of development from the Queenstown Trail and Slopehill Road
  - ii. Require native riparian restoration, wetland restoration and restoration planting to integrate with the native restoration plantings on the DoC Reserve.
- (ii) specifying dual residential development density standards of one residential unit per 8,000 m<sup>2</sup> net site area and 2 ha average area, defaulting to non-complying activity if contravened (proposed r 24.5.1.6);
- (iii) specifying dual subdivisional standards (8,000 m<sup>2</sup> minimum net site area and 2 ha average area), with the intention that any subdivision that would contravene those standards would (proposed rr 27.5.19A, 27.6.1):
  - (1) if “contained within” the East of Slopehill Road area of LCU 11, default to a discretionary activity; but
  - (2) otherwise would default to a [non-complying activity].
- (iv) specifying a maximum building height of 6 m for buildings within that area, defaulting to non-complying if exceeded (proposed r 24.5.8.4).

### ***WEL Site***

[24] The Modified WBRAZ relief now pursued for the WEL Site is in summary as follows:

- (a) uprating of the present Low landscape capacity rating to Moderate for areas of LCU 11 on the Site which are proposed to be referred to as ‘Elevated Central Terrain Areas A, B and C’ and associated changes to the description of LCU 11 in Sch 24.8;



- (b) modifying provisions in PDP Chs 24 and 27 so as to reflect an enhanced landscape capacity for subdivision and development of those areas of LCU 11:
- (i) a new sub-clause to the above-noted Pol 24.2.1.5 as follows:
- x. in the part of LCU 11 described in Schedule 24.8 as Elevated Central Terrain:
    - i. For Area A: Minimise the visibility of development from Domain Road, Dalefield Road, Hunter Road, Lower Shotover Road and from the Queenstown Trail where a public place.
    - ii. For Area B: Minimise the visibility of development from Domain Road, Dalefield Road, Hunter Road, Lower Shotover Road, Slopehill Road, Speargrass Flat Road and the Queenstown Trail where a public place.
    - iii. For Area C: Minimise the visibility of development from Slopehill Road, and Threepwood Road, Jane Williams Place and the Queenstown Trail where a public place.
    - iv. Require the retention of existing mature vegetation features.
    - v. Require native riparian restoration, wetland restoration and pond edge plantings.
- (ii) specifying new minimum and average lot sizes in Chs 24 and 27, as follows:
- (1) Elevated Central Terrain Area A: 6000 m<sup>2</sup> minimum and 2.5ha average;
  - (2) Elevated Central Terrain Area B: 6000 m<sup>2</sup> minimum and 1.8 ha average; and
  - (3) Elevated Central Terrain Area C: 6000 m<sup>2</sup> minimum and 5 ha average.
- (iii) specifying discretionary subdivision activity status for subdivision that is “contained within” the Moderate capacity areas and that complies with the above-noted minimum and minimum average lot size standards (in rr 27.5.19A and 27.6.1).

## The evidence

[25] The landscape experts, Steve Skelton (called by Strain and WEL) and Bridget Gilbert (called by QLDC), have significant experience in the assessment of landscapes, including for the purposes of the PDP. Ms Gilbert is a principal author of the Wakatipu Basin Land Use Planning Study that underpins the variation that introduced the WBRAZ (including the Precinct subzone) into the PDP.<sup>7</sup> Both applied a generally similar methodological approach to landscape assessment in keeping with *Te Tangi a te Manu* (Aotearoa New Zealand Landscape Assessment Guidelines) ('Guidelines').<sup>8</sup>

[26] The planning experts, Nick Geddes (called by Strain), Ben Farrell (called by WEL) and Matt Bonis (called by QLDC) each has significant expertise in relation to plan development.

[27] Their evidence filed prior to settlement revealed significant points of difference pertaining to relevant matters for our determination of the most appropriate zoning outcome for each Site. However, those differences were concerning the appellants' then-requested Precinct upzoning relief.

[28] The experts' updated opinions in their JWS support the settlements reached.<sup>9</sup>

[29] As is recorded in Annexure 1, questioning of those experts satisfies the court that we can rely on their updated consensus opinions in support of the settlements reached (subject to noted confined points of refinement).

---

<sup>7</sup> *Wakatipu Basin Land Use Planning Study*, Final Report March 2017, prepared for QLDC by Barry Kaye Associates Ltd, Bridget Gilbert Landscape Architecture and Strateg.Ease.

<sup>8</sup> *Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines* Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022, as stated in JWS – landscape (1) dated 21 September 2022.

<sup>9</sup> JWS – landscape (2) and JWS – planning (2).

### *Lay evidence*

[30] Antony and Sarah Strain and WEL director, Bill Eaton, also gave evidence in support of their respective relief.<sup>10</sup> It was admitted by consent. While their evidence was in pursuit of their original Precinct relief, we treat that as qualified by the settlements in favour of Modified WBRAZ outcomes.

[31] Nevertheless, the lay evidence provides the following helpful context for each appellants' position.

#### *The Strains*

[32] The Strains developed their property (called Summerhill) from a bare block to include a family home and productive pastures. It has been a base for their farming operations, including their operation of a high country run and four deer farms. The heavy flat land was used to grow baleage for winter feed for cattle and deer. The balance of lighter rolling ground was used to graze sheep, cattle and deer. However, the Strains have had a longstanding desire to develop Summerhill for their children and to support their retirement.

[33] They identify a number of environmental benefits as being enabled by upzoning for development. Those include opportunity for protection of open space, enhanced riparian planting of the creeks and re-establishment of the wetlands. They consider that to also offer associated benefit to the water quality of Lake Hayes.

[34] The Strains also explain they have assisted the development of the Queenstown Countryside Trail. That included their transfer of land for the purposes of the Trail. They record that construction of the Trail has had "a marked effect on the neighbouring land with loss of privacy, stock and wildlife

---

<sup>10</sup> Statement of Evidence of Antony and Sarah Strain dated 21 December 2021. Statement of Evidence of Bill Eaton dated 17 December 2021.

disturbed by dogs and disrupting pest control”. Even so, they regard those negative effects as being outweighed by the benefits of the Trail. That said, the Strains record the importance of adhering to the PDP’s policy intention that only public land views from the Trail be accounted for in landscape assessments for the PDP’s purposes.

*Mr Eaton*

[35] Mr Eaton explains that WEL purchased Speargrass Domain in 1997. WEL is a private company for the purposes of his family and other New Zealand “business partners”. In 2002, his family built a house. That has been their home since 2005.

[36] Following WEL’s purchase of Speargrass Domain, the property has never been operated as an economic farm unit. To minimise losses, it has been stocked with deer, beef and sheep. Mr Eaton explains a history of frustration in WEL’s attempts to develop the Site. From his perspective, QLDC has treated the property as a type of buffer rather than consistently with others. WEL seeks a more equitable approach be taken to these matters.

### **Joint memorandum in response to the court’s directions**

[37] Annexure 1 relevantly records the following as a matter that the court informed counsel would be helpfully refined in the final version of provisions put to the court for approval:

The Court is satisfied that it would be practical and appropriate for an initial subdivision that is confined to splitting off Moderate capacity areas from Low capacity areas to be classed as a Discretionary activity. That is on the basis that relevant objectives and policies would apply to the consideration of it on the merits (that is of an application).

[38] Annexure 1 records how that had been a matter about which different perspectives had been expressed by planning witnesses in response to court questions.

[39] In response to the court's related directions, on 7 October 2024, counsel filed a joint memorandum relevantly reporting as follows:

The Parties are in agreement as to the appropriate drafting of the rules and standards for subdivision at the respective appeal sites. The agreed final drafting for the rules is attached as Appendix 1, with new rules 27.5.19X and Y to provide the Discretionary pathway for a subdivision separating the 'low' and 'moderate' areas.

In all other respects the parties confirm agreement on the related Policy and LCU 11 Schedule changes as attached to the A, S and S Strain draft consent order dated 16 September 2024, and the Wakatipu Equities Limited draft consent order dated 19 September 2024.

### **Evaluation and outcome**

[40] On the basis of our evidential findings herein, the court:

- (a) determines that upzoning of each Site to Modified WBRAZ and accordingly modifying the PDP according to the updated provisions set out as Annexure 2, attached to this determination, is the most appropriate zoning outcome for each Site for the purposes of achieving relevant PDP objectives; and
- (b) directs QLDC to update the PDP, including the planning maps to give effect to this determination and to file a reporting memorandum when that is completed.

[41] According to the settlement reached, there will be no order as to costs, these lie where they fall.



---

**J J M Hassan**  
**Environment Judge**



## Annexure 1

### Record of observations made to parties at the conclusion of the hearing

As we signalled in the minute issued this morning, the Court is satisfied on the evidence that upzoning to a modified Wakatipu Basin Rural Amenities Zone (WBRAZ) zoning outcome is appropriate for each site. Subject to some confined matters of refinement that can be generally according to the provisions the subject of the settlements reached.

The Court is already well advanced in writing up our determination with a view to it providing directions for Queenstown Lakes District Council to update the proposed District Plan. Answers provided by the landscape and planning experts to the questions we signalled in this morning's minute satisfy us on most matters. Hence what we now traverse is brief.

*First of all, should there be an additional standard prescribing a yield limit for the Wakatipu Equities Limited site?*

The Court is satisfied by Mr Bonis' answers and finds that there is no need for a further standard that will prescribe a global yield.

*Secondly, activity status for initial subdivision in light of Moderate and Low landscape capacity components of each site?*

The Court is satisfied that it would be practical and appropriate for an initial subdivision that is confined to splitting off Moderate capacity areas from Low capacity areas to be classed as a Discretionary activity. That is on the basis that relevant objectives and policies would apply to the consideration of it on the merits (that is of an application).

That differs from the legal effect of the settlement whereby on a holistic basis subdivision of lots that include areas of Low capacity would be inherently Non-Complying.

We accept Mr Farrell's explanation that he did not appreciate that to be the legal position when he endorsed the settlement in the last planner's joint witness statement. We note the consensus of Messrs Bonis, Geddes and Farrell, that

Discretionary activity status would be appropriate for such initial subdivisions.

We acknowledge and agree with counsel's observations as to the importance of careful drafting. We will determine if need be any residual differences on this matter.

Subject only to this point of clarification, we find the Modified WBRAZ outcomes as recommended in the settlements for each site to be the most appropriate. Our determination in due course will reflect that.

Counsel are to file a joint memorandum or memoranda as to all matters for the purposes of our determination including updated final drafting and any supplementary closing submissions by Friday, 4 October 2024. As signalled by parties, it is to be anticipated that there will be no orders as to costs, those to lie where they fall. This matter is adjourned accordingly.



**Annexure 2**

Agreed plan provisions for incorporation into Chs 24, 27, and Sch 24.8 of the  
Proposed District Plan.

## Appendix 1<sup>1</sup>

### Chapter 24 Wakatipu Basin

Policy 24.2.1.5 Ensure the following outcomes in the consideration of any proposal for subdivision or residential development:

- ....
- x. in the part of LCU 11 described in Schedule 24.8 as East of Slopehill Road:
- i. Minimise the visibility of development from the Queenstown Trail and Slopehill Road
  - ii. Require native riparian restoration, wetland restoration and restoration planting to integrate with the native restoration plantings on the DoC Reserve.

	<b>Table 24.2 – Standards</b>	<b>Non-compliance status</b>
<b>24.5.1.6</b>	Any site located within a Landscape Character Unit or area identified on the District Plan web mapping application a maximum of one residential unit per net site area and average area:  ...  <u>24.5.1.6.X LCU 11 Slope Hills ‘Foothills’ limited to the area identified as East of Slopehill Road: 8,000m<sup>2</sup> minimum and 2 ha average.</u>	<b>NC</b>
<b>24.5.8.4</b>	<u>The maximum height of buildings in LCU 11 Slope Hills ‘Foothills’, limited to the area identified as East of Slopehill Road, shall be 6m.</u>	<b>NC</b>

<sup>1</sup> Appended as Appendix 1 to A, S and S Strain draft consent order dated 16 September 2024.

**Chapter 27: Subdivision and development**

	<b>Subdivision Activities District Wide</b>	<b>Activity Status</b>
<b>27.5.19A</b>	<p>Subdivision of any site within the Wakatipu Basin Rural Amenity Zone (outside the Lifestyle Precinct) where located within the following areas identified on the district plan web mapping application:</p> <p>...</p> <p>X. <u>LCU 11 Slope Hills 'Foothills' (limited to the area identified as East of Slopehill Road)</u></p>	<b>D</b>

**27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.**

<b>Zone</b>		<b>Minimum Lot Area</b>
	Wakatipu Basin Rural Amenity Zone	80ha
	Within the following areas of the Wakatipu Basin Rural Amenity Zone identified on the district plan web mapping application the minimum net site area and the average area of all lots in the subdivision is not less than:	
	<u>LCU 11 Slope Hills 'Foothills' limited to the area identified as East of Slopehill Road</u>	<u>8,000m<sup>2</sup> minimum and 2 ha average</u>

Landscape Character Unit	11: Slope Hill 'Foothills'
<p><b>Landform patterns</b></p>	<p><del>Elevated and complex patterning of hills ranging from moderate to steeply sloping in places. Elevated hummock pattern throughout central portion with remnant kettle lakes.</del></p> <p><u>The unit comprises four sub areas as follows:</u></p> <ul style="list-style-type: none"> <li>• <u>Slope Hill valley along the eastern side of the unit.</u></li> <li>• <u>The central elevated glacial terrain.</u></li> <li>• <u>The lower flanks of Slope Hill along the southern portion of the western side of the unit.</u></li> <li>• <u>The low lying and generally flat alluvial terrace along the central portion of the western side of the unit.</u></li> </ul> <p><u>Slope Hill valley comprises a predominantly open valley landform extending on a roughly north eastwards alignment from Slope Hill roche moutonnée. It is enclosed to the north by the ridgeline framing the south side of the Speargrass Flat 'corridor', to the east by the ridgeline that runs along the west side of Lake Hayes (ONF), and to the south by the rising landform of Slope Hill (ONF).</u></p> <p><u>The central elevated glacial terrain comprises glacier overridden schist extending northwards from Slope Hill roche moutonnée to the ridgeline that defines the southern side of the Speargrass Flat 'corridor'. The landform is characterised by elevated hummocky terrain in places, and a complex patterning of elevated gullies interspersed with a range of rolling to sharply defined ridges. Throughout the western flanks of the central elevated terrain there is a complex patterning of moderate to steep slopes interspersed with localised benches and terraces, and stream gullies.</u></p> <p><u>The central part of the unit's western edge comprises the eastern margins of the low lying and generally flat alluvial terrace that stretches between the Shotover River (to the west) and the Slope Hill roche moutonnée and elevated 'foothills' to the east. The landform is flat to gently sloping.</u></p> <p>The southern part of the unit's western edge comprises Slope Hill's lower slopes. These moderate to steep east facing slopes have their relatively consistent gradient broken up by small, localised benches and terraces.</p> <p>Refer <b>Figure A</b> (at the end of the Schedule) for the approximate location and extent of the four subareas within LCU 11.</p>
<p><b>Vegetation patterns</b></p>	<p>Tall hawthorn hedging and mature poplar trees along the eastern side of Lower Shotover Road. Much of the road-side hawthorn hedging is protected under the District Plan, consent notices or conditions of consent.</p> <p>Exotic shelterbelts, woodlots, remnant gully/riparian vegetation, and exotic and indigenous amenity plantings on older rural and rural residential properties and around their dwellings.</p> <p>Predominantly grazed grass pasture on larger lots. Smaller lots tend to be mown. Native restoration riparian and slope planting</p>

	<u>throughout DoC Reserve land in the Slope Hill valley portion of the LCU.</u>
<b>Hydrology</b>	Numerous streams, ponds and <del>localised wet areas</del> <u>wetlands. Water race in elevated central part of the unit.</u> <u>The unit straddles the Lake Hayes catchment to the east and the Shotover River catchment to the west.</u>
<b>Proximity to ONL/ONF</b>	Adjoins Slope Hill/Lake Hayes ONF.
<b>Character Unit boundaries</b>	North: Ridgeline crest. East: Ridgeline crest/ONF. South: <del>Toe of Slope Hill ONF</del> <u>boundary.</u> West: Lower Shotover Road.
<b>Land use</b>	Mix of rural and rural residential.
<b>Settlement patterns</b>	Dwellings are generally located to enjoy long-range basin and mountain views. Older rural residential development tends to be well integrated by mature planting and/or localised landform patterns. Newer rural residential is considerably more exposed, with buildings sited to exploit landform screening (where possible). <del>Clustered development evident in places.</del> Numerous consented but unbuilt platforms (43). Typical lot sizes: <del>evenly distributed mix. One property 100-500ha range, another 50-100ha. Balance typically shared lots or 4-10ha range.</del> (a) <u>A swathe of rural living lots predominantly ranging in size from 4-20ha along the low-lying flat land at the western edge of the unit, straddling the western end of Slopehill Road, adjacent the unformed legal road (and trail) in the centre of the unit, and on either side of Elysium Way. Within this 'swathe' are scattered smaller-scaled lots including some that are under 1ha, between 1 and 2ha in size, and 2 to 4ha in size.</u> (b) <u>A distinctive cluster of small (with many less than 1ha) rural living lots associated with Threepwood.</u> (c) <u>The balance of the unit (i.e. approximately 35% of the unit) being characterised by lot sizes over 20ha.</u>
<b>Proximity to key route</b>	Located away from key vehicular route.
<b>Heritage features</b>	No heritage buildings/features identified in PDP.
<b>Recreation features</b>	A Council walkway/cycleway runs along Slope Hill Road which forms part of the Queenstown Trail.

<b>Infrastructure features</b>	Reticulated water, sewer and stormwater in places.
<b>Existing zoning</b>	PDP: Western slopes overlooking Hawthorn Triangle: Rural Lifestyle (no defensible edges). Balance of the unit: Rural.
<b>Visibility/prominence</b>	<p>Visibility varies across the landscape unit.</p> <p><u>The lower lying land within Slope Hill valley is contained by landform, serving to limit public visibility to views from Slopehill Road (east) and the Queenstown Trail. Much of this part of the unit is relatively open and exposed. Vegetation provides localised visual containment in places. The elevated ridge along the western side of Slope Hill valley is prominent.</u></p> <p><u>The elevated ridges and spurs and south-west facing slopes within the central part of the unit are more prominent. Localised landform 'folds' and vegetation providing visual containment in places.</u></p> <p><del>The steep hillslopes and escarpment faces edging Speargrass Flat to the north and Lake Hayes to the east, together with Slope Hill itself, serve to limit visibility of the balance of the unit from the wider basin landscape.</del></p> <p><u>Throughout the lower flanks of Slope Hill along the southern portion of the western side of the unit, Localised landform (for example benches and terraces) and/or vegetation patterns provide visual containment in places.</u></p> <p>The low lying, flat to gently sloping alluvial landform along the western side of the unit is reasonably discreet as consequence of its relative elevation and extensive roadside vegetation.</p>
<b>Views</b>	<p>Key views relate to: <del>the open vistas available from parts of Hawthorn Triangle environs to the western portion of the unit.</del></p> <p><del>The unit affords attractive long range views out over the basin to the surrounding ONL mountain setting as well as open views of the nearby Slope Hill ONF from some public locations.</del></p> <p>(a) <u>Attractive short and mid-range views from parts of Slopehill Road (east)/ the Queenstown Trail across the open and spacious areas of the Slope Hill Valley.</u></p> <p>(b) <u>Attractive long-range views from within the unit to the surrounding ONF and ONL setting.</u></p> <p>(c) <u>Attractive mid and longer-range views from Slopehill Road (west)/ the Queenstown Trail to the central elevated part of the unit in which there is an attractive interplay of open and spacious pastoral areas and vegetation, and within which built development is well integrated by landform and/or mature plantings.</u></p> <p><u>Other views relate to:</u></p> <p>(d) <u>Longer range, and in some cases intermittent views from Lower Shotover Road, Hawthorn Triangle (including the Queenstown Trail), Domain Road, Shotover River corridor, Tucker Beach, Quail Rise, Dalefield and their environs to the central elevated part</u></p>

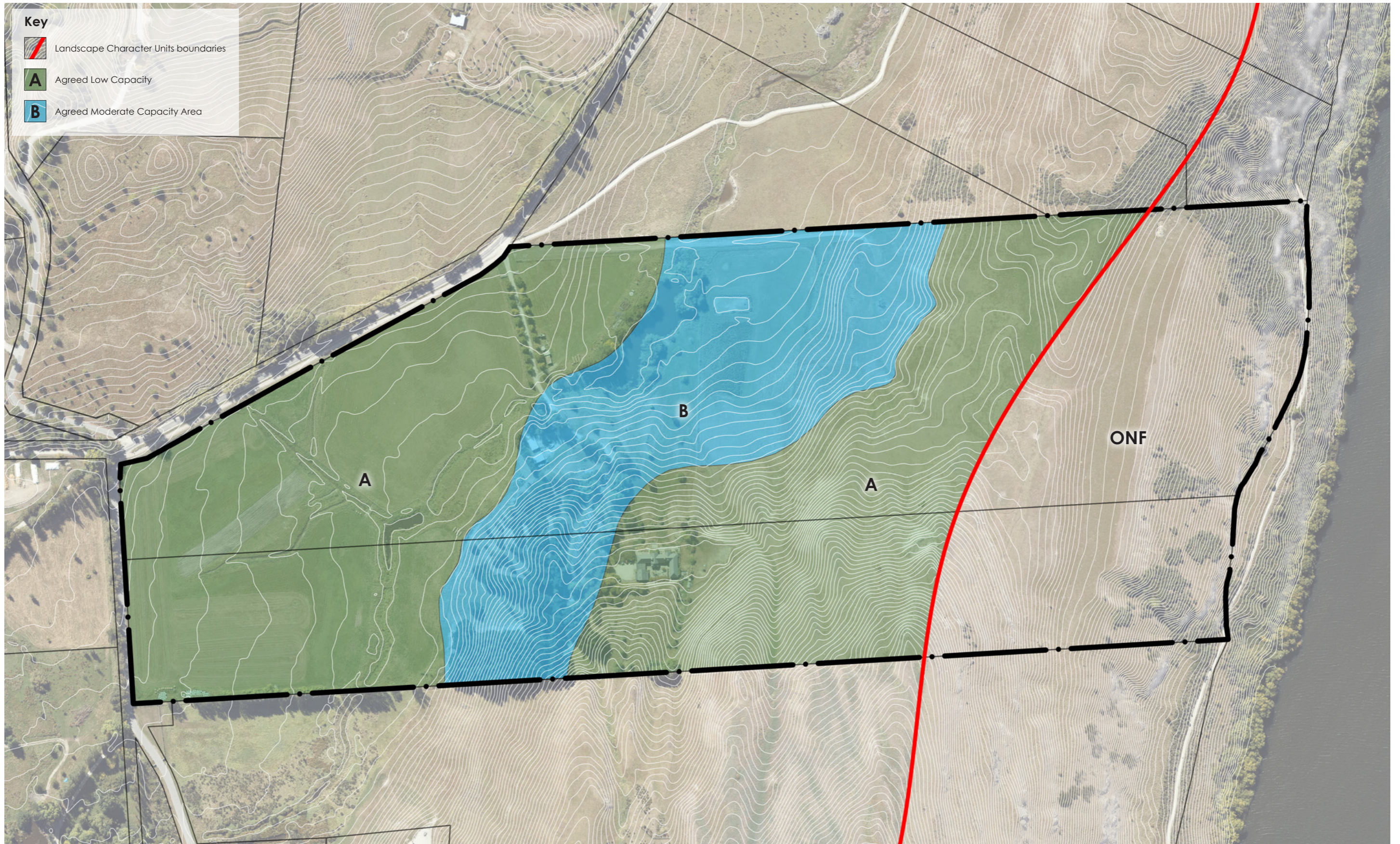
	<u>of the unit and the elevated western slopes and ridgelines.</u>
<b>Enclosure/openness</b>	<p>A variable sense of openness and enclosure is evident across the unit as a consequence of the complex landform and vegetation patterns.</p> <p>Many of the older and more established rural residential dwellings are located on localized terraces, benches or hollows and/or are reasonably enclosed by mature exotic vegetation which means that they sit comfortably within the landscape.</p> <p>Throughout the <del>central and</del> eastern areas (<u>Slopehill valley</u>), landform provides containment at a macro scale.</p> <p><u>The ridgeline along the northern side of the unit and Slope Hill ONF provide a degree of macro level containment for the balance of the unit.</u></p>
<b>Complexity</b>	<p>Generally, a relatively complex unit due to the landform patterning.</p> <p>Vegetation patterns add to the complexity in places.</p>
<b>Coherence</b>	<p>The coordination of landform and vegetation patterns in places (associated with gully/<u>riparian, rural and amenity</u> plantings), contributes a degree of landscape coherence. Elsewhere the discordant vegetation and landform patterning means that there is a limited perception of landscape coherence.</p>
<b>Naturalness</b>	<p>A variable sense of naturalness, <u>is present across the LCU. It is</u> largely dependent on the legibility of the underlying landform, <u>riparian and slope restoration planting patterns</u> and how well buildings are integrated into the landscape. The large number of consented but unbuilt platforms suggest that a perception of naturalness could <del>reduce appreciably in</del> <u>change over</u> time.</p>
<b>Sense of Place</b>	<p>Generally, the unit reads as a mixed rural and rural residential <u>landscape near its limit in terms of its capacity to absorb further development.</u></p> <p><del>The elevated portions of the area read as a rural residential landscape ‘at, or very near, its limit’ in terms of capability to absorb further development.</del></p> <p>The lower-lying stream valley area to the east (<u>Slopehill valley</u>) with the exception of <u>Threeewood</u>, remains largely undeveloped, and functions as somewhat of a “foil” for the more intensive rural residential landscape associated with the surrounding elevated slopes. <u>as a counterbalance</u> for the <del>more intensive</del> rural residential landscape patterning associated with the surrounding elevated slopes.</p> <p><u>Overall, the patterning of appreciable tracts of open undeveloped land, together with the visually discreet nature of many of the elevated dwellings and vegetation features contributes the impression of the area as ‘breathing space’ between the relatively intensive rural living enclaves at Hawthorn Triangle and north Lake Hayes.</u></p>

<p><b>Potential landscape issues and constraints associated with additional development</b></p>	<p>DoC ownership of part of low lying stream valley to the east (<u>Slopehill Valley</u>).</p> <p>Drainage in places (e.g. low-lying stream valley to east).</p> <p><u>Steep landform patterning, hydrology features and mature vegetation features in places.</u></p> <p>Potential visibility of development throughout <del>western hillslopes in particular:</del> <u>the open elevated ridgelines and western flanks of the elevated terrain; and the open and exposed areas in the eastern part of the unit.</u></p> <p><del>Importance of existing open views to Slope Hill.</del></p> <p>Proximity to the Queenstown Trail <u>and potential visibility.</u></p> <p><u>The role of the unit as ‘breathing space’ between the relatively intensive rural living enclaves at Hawthorn Triangle and north Lake Hayes.</u></p> <p><del>Environment Court history suggest that</del> <u>The capacity has been fully exploited in parts of the LCU and particularly in relation to land accessed off Slopehill Road (west), Threepwood Road, Elysium Way, and the open elevated land, near and adjacent to the Slope Hill ONF.</u></p>
<p><b>Potential landscape opportunities and benefits associated with additional development</b></p>	<p>Riparian restoration potential.</p> <p>Retirement of grazing on steep slopes and native restoration <u>potential.</u></p> <p><del>Large scaled lots suggest potential for subdivision</del></p> <p>Improved landscape legibility and coherence via gully and steep slope native restoration planting.</p> <p>Localised hollows, benches and terraces along with mature exotic vegetation provide opportunities to absorb further development in places.</p> <p>Potential for the integration of walkways/cycleways.</p> <p><u>Mature vegetation features along road frontages adjacent the low lying, flat to gently sloping land along the western edge of the unit, which serve to avoid an impression of development sprawl.</u></p> <p><u>Potential to protect parts of the unit which are valued for their openness, spacious character and/or the views that they enable to the surrounding ONF/L context.</u></p>
<p><b>Environmental characteristics and visual amenity values to be maintained and enhanced</b></p>	<p>Landform pattern, <u>hydrology features, riparian features</u> and mature vegetation features.</p> <p>Careful integration of buildings with landform and planting.</p> <p>Throughout <u>the Slope Hill valley, more elevated central area and western flanks,</u> future built development should be sited to exploit the containment provided by existing localised benches, terraces or hollows and the screening influence of mature vegetation features.</p> <p><u>An open and spacious rural character shall be maintained in the low lying paddocks between Slopehill Road (east) and the south branch of Mill Creek, adjacent the Slope Hill Valley moderate rated area. Native riparian plantings are encouraged throughout the low lying paddocks, to complete the riparian planting network in the neighbouring areas of Threepwood to the southwest, and the DoC Reserve to the north east.</u></p> <p>Throughout the low lying flat to gently sloping land along the western edge of the unit, future <u>built</u> development should be positioned to optimize the screening and filtering effect of mature roadside vegetation features.</p>



	<p>Set back of buildings from ridgeline crests to north and east of unit. Retention of existing open views to Slope Hill ONF <u>and the surrounding ONLs.</u> The impression of the unit as establishing a sense of relief or 'breathing space' between the more developed parts of the basin in <u>views from the west.</u></p>
<p><b>Capability</b> <u>Capacity to absorb additional development</u></p>	<p><b>Moderate:</b></p> <ul style="list-style-type: none"> <li>• <u>The low lying and generally flat alluvial terrace along the central portion of the western side of the unit (on the Eastern Side of Lower Shotover Road.</u></li> <li>• <u>The relatively low-lying shallow shelves, planted pond and stream margins, and sloping land in dense and mature tree cover, extending between the DoC Reserve and Threepwood on the south side of Slope Hill Road (east), within the Slope Hill valley part of LCU11 (East of Slopehill Road).</u></li> </ul> <p><b>Low:</b> <u>the balance of the unit.</u></p>

**New Moderate Capacity Area within LCU 11 Slope Hills 'Foothills': East of Slopehill Road**



**Key**

-  Landscape Character Units boundaries
-  Agreed Low Capacity
-  Agreed Moderate Capacity Area



## Appendix 1<sup>2</sup>

### Chapter 24 Wakatipu Basin

Policy 24.2.1.5 Ensure the following outcomes in the consideration of any proposal for subdivision or residential development:

....

x. in the part of LCU 11 described in Schedule 24.8 as Elevated Central Terrain:

- i. For Area A: Minimise the visibility of development from Domain Road, Dalefield Road, Hunter Road, Lower Shotover Road and from the Queenstown Trail where a public place.
- ii. For Area B: Minimise the visibility of development from Domain Road, Dalefield Road, Hunter Road, Lower Shotover Road, Slopehill Road, Speargrass Flat Road and the Queenstown Trail where a public place.
- iii. For Area C: Minimise the visibility of development from Slopehill Road, and Threepwood Road, Jane Williams Place and the Queenstown Trail where a public place.
- iv. Require the retention of existing mature vegetation features.
- v. Require native riparian restoration, wetland restoration and pond edge plantings.

	<b>Table 24.2 – Standards</b>	<b>Non-compliance status</b>
<b>24.5.1.6</b>	Any site located within a Landscape Character Unit or area identified on the District Plan web mapping application a maximum of one residential unit per net site area and average area:  ...  <u>24.5.1.6.X LCU 11 Slope Hills ‘Foothills’ limited to the area identified as Elevated Central Terrain:</u>	<b>NC</b>

<sup>2</sup> Appended as Appendix 1 to Wakatipu Equities Limited draft consent order dated 19 September 2024.

	<ul style="list-style-type: none"> <li>i. <u>Area A: 6000m<sup>2</sup> minimum and 2.5ha average</u></li> <li>ii. <u>Area B: 6000m<sup>2</sup> minimum and 1.8ha average</u></li> <li>iii. <u>Area C: 6000m<sup>2</sup> minimum and 5ha average</u></li> </ul>	
--	--	--

### Chapter 27: Subdivision and development

	Subdivision Activities District Wide	Activity Status
<b>27.5.19A</b>	<p>Subdivision of any site within the Wakatipu Basin Rural Amenity Zone (outside the Lifestyle Precinct) where located within the following areas identified on the district plan web mapping application:</p> <p>...</p> <p>X. <u>LCU 11 Slope Hills 'Foothills' limited to the area identified as Elevated Central Terrain Areas A, B and C</u></p>	<b>D</b>

**27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.**

Zone		Minimum Lot Area
	Wakatipu Basin Rural Amenity Zone	80ha
	Within the following areas of the Wakatipu Basin Rural Amenity Zone identified on the district plan web mapping application the minimum net site area and the average area of all lots in the subdivision is not less than:	
	<u>LCU 11 Slope Hills 'Foothills' limited to the area identified as Elevated Central Terrain</u>	<u>Area A 6000m<sup>2</sup></u>

		<u>minimum and 2.5ha average</u>  <u>Area B: 6000m<sup>2</sup> minimum and 1.8ha average</u>  <u>Area C: 6000m<sup>2</sup> minimum and 5ha average</u>
--	--	--

24.8 Schedule 24.8 Landscape Character Units

[Drafting / Advice Note: this version of LCU 11 includes the agreed changes in the Burgess Duke Trust (red) and Strain (orange) consent documents. Blue text is added in by the WEL agreement].

Landscape Character Unit	11: Slope Hill 'Foothills'
<b>Landform patterns</b>	<p><del>Elevated and complex patterning of hills ranging from moderate to steeply sloping in places. Elevated hummock pattern throughout central portion with remnant kettle lakes.</del></p> <p>The unit comprises four sub areas as follows:</p> <ul style="list-style-type: none"> <li>• <u>Slope Hill Valley along the eastern side of the unit.</u></li> <li>• <u>The central elevated glacial terrain (Elevated Central Terrain).</u></li> <li>• <u>The lower flanks of Slope Hill along the southern portion of the western side of the unit (Slope Hill Southwestern Flanks).</u></li> <li>• <u>The low lying and generally flat alluvial terrace along the central portion of the western side of the unit (Lower lying land east of Lower Shotover Road).</u></li> </ul> <p><u>Slope Hill Valley comprises a predominantly open valley landform extending on a roughly north eastwards alignment from Slope Hill roche moutonnée. It is enclosed to the north by the ridgeline framing the south side of the Speargrass Flat 'corridor', to the east by the ridgeline that runs along the west side of Lake Hayes (ONF), and to the south by the rising landform of Slope Hill (ONF).</u></p>

	<p><u>The central elevated glacial terrain comprises glacier overridden schist extending northwards from Slope Hill roche moutonnée to the ridgeline that defines the southern side of the Speargrass Flat ‘corridor’. The landform is characterised by elevated hummocky terrain in places, and a complex patterning of elevated gullies interspersed with a range of rolling to sharply defined ridges. Throughout the western flanks of the central elevated terrain there is a complex patterning of moderate to steep slopes interspersed with localised benches and terraces, and stream gullies.</u></p> <p><u>The central part of the unit’s western edge comprises the eastern margins of the low lying and generally flat alluvial terrace that stretches between the Shotover River (to the west) and the Slope Hill roche moutonnée and elevated ‘foothills’ to the east. The landform is flat to gently sloping.</u></p> <p>The southern part of the unit’s western edge comprises Slope Hill’s lower slopes. These moderate to steep east facing slopes have their relatively consistent gradient broken up by small, localised benches and terraces.</p> <p><u>Refer <b>Figure A</b> (at the end of the Schedule) for the approximate location and extent of the four subareas within LCU 11.</u></p>
<b>Vegetation patterns</b>	<p>Tall hawthorn hedging and mature poplar trees along the eastern side of Lower Shotover Road. Much of the road-side hawthorn hedging is protected under the District Plan, consent notices or conditions of consent.</p> <p>Exotic shelterbelts, woodlots, remnant gully/<u>riparian</u> vegetation, and exotic <u>and indigenous</u> amenity plantings on older <u>rural and</u> rural residential properties and around their dwellings.</p> <p>Predominantly grazed <u>grass pasture</u> on larger lots. Smaller lots tend to be mown. <u>Native restoration riparian and slope planting</u> throughout DoC Reserve land in the Slope Hill valley portion of the LCU.</p>
<b>Hydrology</b>	<p>Numerous streams, ponds and <del>localised wet areas</del> <u>wetlands</u>. <u>Water race in elevated central part of the unit.</u></p> <p><u>The unit straddles the Lake Hayes catchment to the east and the Shotover River catchment to the west.</u></p>
<b>Proximity to ONL/ONF</b>	<p>Adjoins Slope Hill/Lake Hayes ONF.</p>
<b>Character Unit boundaries</b>	<p>North: Ridgeline crest.  East: Ridgeline crest/ONF.  South: <del>Toe of</del> Slope Hill ONF <u>boundary</u>.  West: Lower Shotover Road.</p>
<b>Land use</b>	<p>Mix of rural and rural residential.</p>

<b>Settlement patterns</b>	<p>Dwellings are generally located to enjoy long-range basin and mountain views.</p> <p>Older rural residential development tends to be well integrated by mature planting and/or localised landform patterns. Newer rural residential is considerably more exposed, with buildings sited to exploit landform screening (where possible). <del>Clustered development evident in places.</del></p> <p>Numerous consented but unbuilt platforms (43).</p> <p>Typical lot sizes: <del>evenly distributed mix. One property 100-500ha range, another 50-100ha. Balance typically shared lots or 4-10ha range.</del></p> <p>(d) <u>A swathe of rural living lots predominantly ranging in size from 4-20ha along the low-lying flat land at the western edge of the unit, straddling the western end of Slopehill Road, adjacent the unformed legal road (and trail) in the centre of the unit, and on either side of Elysium Way. Within this ‘swathe’ are scattered smaller-scaled lots including some that are under 1ha, between 1 and 2ha in size, and 2 to 4ha in size.</u></p> <p>(e) <u>A distinctive cluster of small (with many less than 1ha) rural living lots associated with Threepwood.</u></p> <p>(f) <u>The balance of the unit (i.e. approximately 35% of the unit) being characterised by lot sizes over 20ha.</u></p>
<b>Proximity to key route</b>	<p>Located away from key vehicular route.</p>
<b>Heritage features</b>	<p>No heritage buildings/features identified in PDP.</p>
<b>Recreation features</b>	<p>A Council walkway/cycleway runs along Slope Hill Road which forms part of the Queenstown Trail.</p>
<b>Infrastructure features</b>	<p>Reticulated water, sewer and stormwater in places.</p>
<b>Existing zoning</b>	<p>PDP: Western slopes overlooking Hawthorn Triangle: Rural Lifestyle (no defensible edges).</p> <p>Balance of the unit: Rural.</p>
<b>Visibility/prominence</b>	<p>Visibility varies across the landscape unit.</p> <p><u>The lower lying land within Slope Hill Valley is contained by landform, serving to limit public visibility to views from Slopehill Road (east) and the Queenstown Trail. Much of this part of the unit is relatively open and exposed. Vegetation provides localised visual containment in places. The elevated ridge along the western side of Slope Hill valley is prominent.</u></p> <p><u>The elevated ridges and spurs and south-west facing slopes within the central part of the unit are more prominent. Localised landform ‘folds’ and vegetation providing visual containment in places.</u></p> <p><del>The steep hillslopes and escarpment faces edging Speargrass Flat to the north and Lake Hayes to the east, together with Slope Hill itself, serve to limit visibility of the balance of the unit from the wider basin landscape.</del></p> <p><u>Throughout the lower flanks of Slope Hill along the southern portion of the western side of the unit, localised landform (for example benches and terraces) and/or vegetation patterns provide visual containment in places.</u></p>

	<p>The low lying, flat to gently sloping alluvial landform along the western side of the unit is reasonably discreet as consequence of its relative elevation and extensive roadside vegetation.</p>
<p><b>Views</b></p>	<p>Key views relate to: <del>the open vistas available from parts of Hawthorn Triangle environs to the western portion of the unit.</del>  <del>The unit affords attractive long range views out over the basin to the surrounding ONL mountain setting as well as open views of the nearby Slope Hill ONF from some public locations.</del></p> <p>(e) <u>Attractive short and mid-range views from parts of Slopehill Road (east)/ the Queenstown Trail across the open and spacious areas of the Slope Hill Valley.</u></p> <p>(f) <u>Attractive long-range views from within the unit to the surrounding ONF and ONL setting.</u></p> <p>(g) <u>Attractive mid and longer-range views from Slopehill Road (west)/ the Queenstown Trail to the central elevated part of the unit in which there is an attractive interplay of open and spacious pastoral areas and vegetation, and within which built development is well integrated by landform and/or mature plantings.</u></p> <p><u>Other views relate to:</u></p> <p>(h) <u>Longer range, and in some cases intermittent views from Lower Shotover Road, Hawthorn Triangle (including the Queenstown Trail), Domain Road, Shotover River corridor, Tucker Beach, Quail Rise, Dalefield and their environs to the central elevated part of the unit and the elevated western slopes and ridgelines.</u></p>
<p><b>Enclosure/openness</b></p>	<p>A variable sense of openness and enclosure is evident across the unit as a consequence of the complex landform and vegetation patterns.</p> <p>Many of the older and more established rural residential dwellings are located on localized terraces, benches or hollows and/or are reasonably enclosed by mature exotic vegetation which means that they sit comfortably within the landscape.</p> <p>Throughout the <del>central and</del> eastern areas (<u>Slopehill Valley</u>), landform provides containment at a macro scale.</p> <p><u>The ridgeline along the northern side of the unit and Slope Hill ONF provide a degree of macro level containment for the balance of the unit.</u></p>
<p><b>Complexity</b></p>	<p>Generally, a relatively complex unit due to the landform patterning.</p> <p>Vegetation patterns add to the complexity in places.</p>

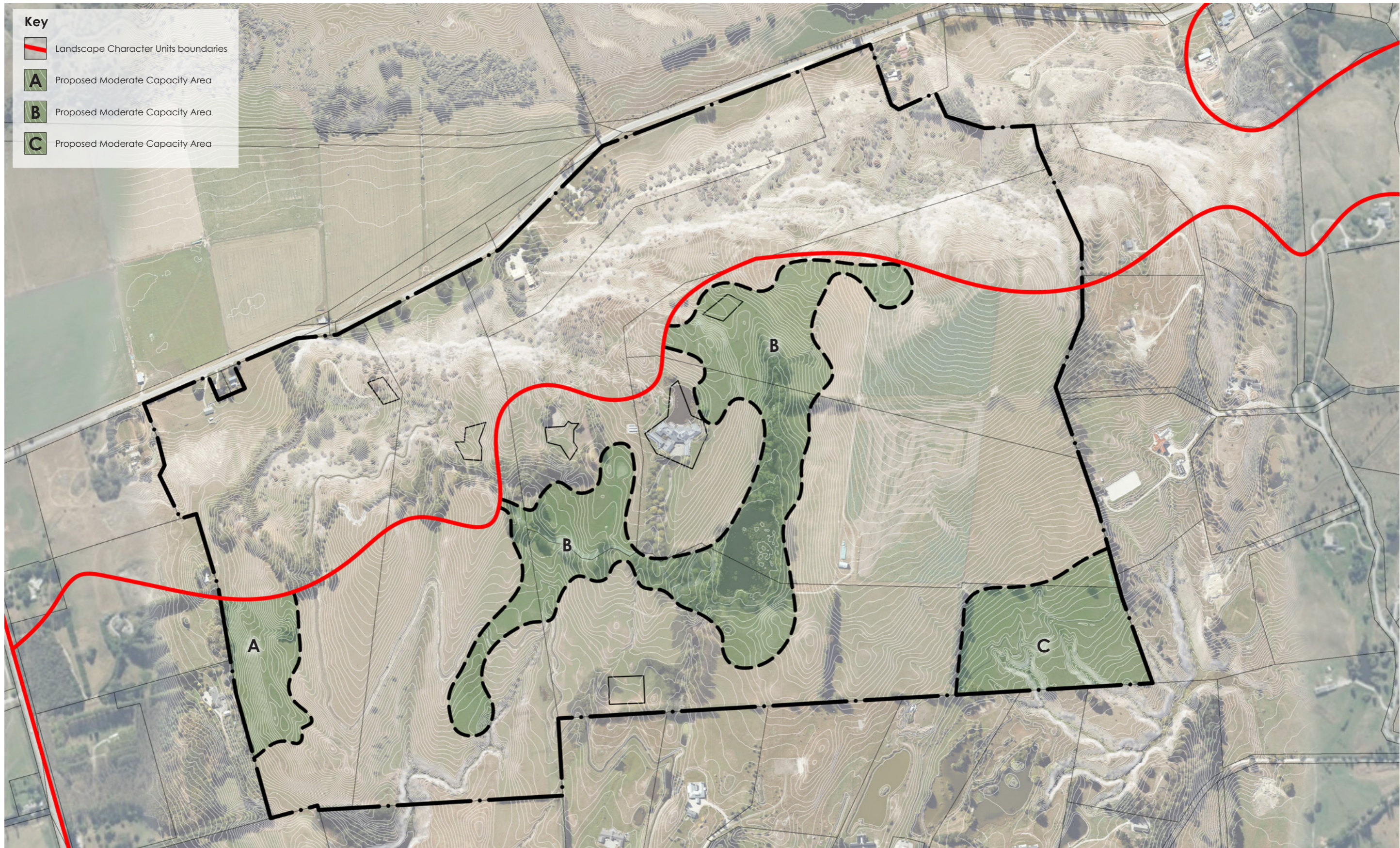


<b>Coherence</b>	The coordination of landform and vegetation patterns in places (associated with <u>gully/riparian, rural and amenity</u> plantings), contributes a degree of landscape coherence. Elsewhere the discordant vegetation and landform patterning means that there is a limited perception of landscape coherence.
<b>Naturalness</b>	A variable sense of naturalness; <u>is present across the LCU. It is largely dependent on the legibility of the underlying landform, riparian and slope restoration planting patterns</u> and how well buildings are integrated into the landscape. The large number of consented but unbuilt platforms suggest that a perception of naturalness could <del>reduce appreciably in</del> <u>change over time.</u>
<b>Sense of Place</b>	<p>Generally, the unit reads as a mixed rural and rural residential <u>landscape near its limit in terms of its capacity to absorb further development.</u></p> <p><del>The elevated portions of the area read as a rural residential landscape 'at, or very near, its limit' in terms of capability to absorb further development.</del></p> <p>The lower-lying stream valley area to the east (<u>Slopehill Valley</u>) with the exception of <u>Threepwood</u>, remains largely undeveloped, and functions as somewhat of a 'foil' for the more intensive rural residential landscape associated with the surrounding elevated slopes. <u>as a counterbalance</u> for the more intensive rural residential landscape patterning associated with the surrounding elevated slopes.</p> <p><u>Overall, the patterning of appreciable tracts of open undeveloped land, together with the visually discreet nature of many of the elevated dwellings and vegetation features contributes the impression of the area as 'breathing space' between the relatively intensive rural living enclaves at Hawthorn Triangle and north Lake Hayes.</u></p>
<b>Potential landscape issues and constraints associated with additional development</b>	<p>DoC ownership of part of low lying stream valley to the east (<u>Slopehill Valley</u>).</p> <p>Drainage in places (e.g. low-lying stream valley to east).</p> <p><u>Steep landform patterning, hydrology features and mature vegetation features in places.</u></p> <p>Potential visibility of development throughout <del>western hillslopes in particular:</del> <u>the open elevated ridgelines and western flanks of the elevated terrain; and the open and exposed areas in the eastern part of the unit.</u></p> <p><u>Importance of existing open views to Slope Hill.</u></p> <p><u>Proximity to the Queenstown Trail and potential visibility.</u></p> <p><u>The role of the unit as 'breathing space' between the relatively intensive rural living enclaves at Hawthorn Triangle and north Lake Hayes.</u></p> <p><u>Environment Court history suggest that The capacity has been fully exploited in parts of the LCU and particularly in relation to land accessed off Slopehill Road (west), Threepwood Road, Elysium Way, and the open elevated land, near and adjacent to the Slope Hill ONF and the existing pastoral low capacity areas within the northern part of the Elevated Central Terrain, and the elevated parts of Slope Hill Valley.</u></p>





<p><b>Potential landscape opportunities and benefits associated with additional development</b></p>	<p>Riparian restoration potential.  Retirement of grazing on steep slopes and native restoration <u>potential</u>.  <del>Large scaled lots suggest potential for subdivision.</del>  Improved landscape legibility and coherence via gully and steep slope native restoration planting.  Localised hollows, benches and terraces along with mature exotic vegetation provide opportunities to absorb further development in places.  Potential for the integration of walkways/cycleways.</p> <p><u>Mature vegetation features along road frontages adjacent the low lying, flat to gently sloping land along the western edge of the unit, which serve to avoid an impression of development sprawl.</u>  <u>Potential to protect parts of the unit which are valued for their openness, spacious character and/or the views that they enable to the surrounding ONF/L context.</u></p>
<p><b>Environmental characteristics and visual amenity values to be maintained and enhanced</b></p>	<p>Landform pattern, <u>hydrology features</u>, riparian features (<a href="#">including the mature parkland and shelter plantings throughout the northern part of Elevated Central Terrain and the elevated parts of Slope Hill Valley</a>) and mature vegetation features.  Careful integration of buildings with landform and planting.</p> <p>Throughout <u>the Slope Hill Valley</u>, more elevated <u>central area and</u> western flanks, future built development should be sited to exploit the containment provided by existing localised benches, terraces or hollows and the screening influence of mature vegetation features.</p> <p><u>An open and spacious rural character shall be maintained in the low lying paddocks between Slopehill Road (east) and the south branch of Mill Creek, adjacent the Slope Hill Valley moderate rated area. Native riparian plantings are encouraged throughout the low lying paddocks, to complete the riparian planting network in the neighbouring areas of Threepwood to the southwest, and the DoC Reserve to the north east.</u></p> <p><u>An open and spacious rural character shall be maintained across the low capacity areas within the northern part of the Elevated Central Terrain, and the elevated parts of Slope Hill Valley. Native restoration plantings are encouraged throughout riparian and gully areas, wetland areas and around ponds in the Elevated Central Terrain and the elevated parts of Slope Hill Valley.</u></p> <p>Throughout the low lying flat to gently sloping land along the western edge of the unit, future <del>built</del> development should be positioned to optimize the screening and filtering effect of mature roadside vegetation features.  Set back of buildings from ridgeline crests to north and east of unit.  Retention of existing open views to Slope Hill ONF <u>and the surrounding ONLs</u>.  <u>The impression of the unit as establishing a sense of relief or 'breathing space' between the more developed parts of the basin in views from the west.</u></p>

<p><b>Capability</b> <u>Capacity to absorb additional development</u></p>	<p><b>Moderate:</b></p> <ul style="list-style-type: none"> <li>• <u>The low lying and generally flat alluvial terrace along the central portion of the western side of the unit (on the Eastern Side of Lower Shotover Road).</u></li> <li>• <u>The relatively low-lying shallow shelves, planted pond and stream margins, and sloping land in dense and mature tree cover, extending between the DoC Reserve and Threepwood on the south side of Slope Hill Road (east), within the Slope Hill valley part of LCU11 (East of Slopehill Road).</u></li> <li>• <u>Elevated Central Terrain:</u> <ul style="list-style-type: none"> <li>○ <u>Area A: the sequence of visually discreet, narrow and small-scale localized shelves in the western part of the Elevated Central Terrain</u></li> <li>○ <u>Area B: the generally flat to more gently sloping, elevated parts of the Elevated Central Terrain where existing landform and vegetation features provide containment</u></li> <li>○ <u>Area C: the lower lying slopes interspersed with gullies, bordered by the established rural living development accessed from Slope Hill Road (to the south) and Elysium Way (to the east).</u></li> </ul> </li> </ul> <p><b>Low:</b> <u>the balance of the unit.</u></p>
---	---

**New Moderate Capacity Areas within LCU 11 Slope Hills 'Foothills': Elevated Central Terrain**



**Key**

-  Landscape Character Units boundaries
-  Proposed Moderate Capacity Area
-  Proposed Moderate Capacity Area
-  Proposed Moderate Capacity Area



## 27.5 Rules - Subdivision

27.5.1 All subdivision requires resource consent unless specified as a permitted activity. The abbreviations set out below are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

	Subdivision Activities - District Wide	Activity Status
<b>27.5.19A</b>	<p><u>Subdivision of any site within the Wakatipu Basin Rural Amenity Zone (outside the Lifestyle Precinct) where located within the following areas identified on the district plan web mapping application:</u></p> <p>...</p> <p>X. <u>LCU 11 Slope Hills 'Foothills' (limited to the area identified as East of Slopehill Road)</u></p> <p>X. <u>LCU 11 Slope Hills 'Foothills' limited to the area identified as Elevated Central Terrain Areas A, B and C</u></p>	<b><u>D</u></b>
<b>27.5.19X</b>	<p><u>Subdivision of Sec 90 Blk V Shotover SD and Sec 2 SO 451735 located within the Wakatipu Basin Rural Amenity Zone for the purpose of:</u></p> <p>(a) <u>a new lot or lots that comply with the standards for minimum lot areas in Rule 27.6.1 for the 'moderate landscape capacity' part of Sec 90 Blk V Shotover SD and Sec 2 SO 451735; and</u></p> <p>(b) <u>creating one new allotment (subdivision and legal access only) for the 'low landscape capacity' part of Sec 90 Blk V Shotover SD and Sec 2 SO 451735.</u></p>	<b><u>D</u></b>

<sup>3</sup> Appended as Appendix 1 to the Joint memorandum of counsel dated 7 October 2024.

<b>27.5.19Y</b>	<p><u>Subdivision of any, or a combination of, the following as located within the Wakatipu Basin Rural Amenity Zone:</u></p> <ul style="list-style-type: none"> <li>• <u>Lot 1 DP 301330</u></li> <li>• <u>Lot 2 DP 301330</u></li> <li>• <u>Lot 3 DP 301330</u></li> <li>• <u>Lot 4 DP 301330</u></li> <li>• <u>Lot 5 DP 301330</u></li> <li>• <u>Lot 6 DP 301330</u></li> </ul> <p><u>for the purpose of:</u></p> <p>(a) <u>a new lot or lots that comply with the standards for minimum lot areas in Rule 27.6.1 for the 'moderate landscape capacity' part of Lots 1-6 DP 301330; and</u></p> <p>(b) <u>creating new balance allotments (subdivision and legal access only) for the 'low landscape capacity' parts of Lots 1 – 6 DP 301330.</u></p>	<b>D</b>
-----------------	--	----------

....

## 27.6 Rules - Standards for Minimum Lot Areas

**27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.**

(Note: in the Large Lot Residential A zone, the minimum or average lot size shall be determined by total area, not net site area)

	Wakatipu Basin Rural Amenity Zone, <u>except where in conjunction with Rule 27.5.19X and Rule 27.5.19XY</u>	80ha
	Within the following areas of the Wakatipu Basin Rural Amenity Zone identified on the district plan web mapping application the minimum net site area and the average area of all lots in the subdivision is not less than:	
	....	....
	<u>LCU 11 Slope Hills 'Foothills' limited to the area identified as Elevated Central Terrain</u>	<u>Area A 6000m<sup>2</sup> minimum and 2.5 ha average</u>  <u>Area B: 6000m<sup>2</sup> minimum and 1.80 ha average</u>  <u>Area C: 6000m<sup>2</sup> minimum and 5ha average</u>
	<u>LCU 11 Slope Hills 'Foothills' limited to the area identified as East of Slopehill Road</u>	<u>8,000m<sup>2</sup> minimum and 2ha average</u>

