

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

**Decision No. [2026] NZEnvC 41**

IN THE MATTER of the Resource Management Act 1991

AND an appeal under clause 14 of the First Schedule of the Act RMA in relation to the Priority Area Landscape Schedules Variation to the Queenstown Lakes District Council Proposed District Plan

BETWEEN THE MILSTEAD TRUST

(ENV-2024-CHC-62)

Appellant

AND QUEENSTOWN LAKES DISTRICT COUNCIL

Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 10 March 2026

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**CONSENT ORDER**

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A: Under s279(1)(b) of the RMA,<sup>1</sup> the Environment Court, by consent, orders that:

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<sup>1</sup> Resource Management Act 1991.



- (1) the appeal is allowed and Queenstown Lakes District Council is directed to amend the proposed Queenstown Lakes District Plan as set out in Annexure 1, attached to and forming part of this consent order;
- (2) the appeal otherwise remains extant.

B: Under s285 of the RMA, there is no order as to costs.

## **REASONS**

### **Introduction**

[1] This proceeding concerns an appeal by the Milstead Trust against the decision of Queenstown Lakes District Council on the Priority Area Landscape Schedules Variation to the proposed Queenstown Lakes District Plan.

[2] As detailed in *Burdon v Queenstown Lakes District Council*,<sup>2</sup> the appeal points lodged against various aspects of the variation were allocated to two appeal topics. The “general relief” noted in those appeals focussed on the preamble of Schedules 21.22 and 21.23. It was allocated to Topic 1 to which that decision relates. The site-specific relief pertaining to the specific Priority Area Landscape Schedules was allocated to Topic 2. That is what this consent order, and a number of other consent orders issued with it, are concerned with.

[3] The appellant has an interest in the property at 429 Frankton-Ladies Mile Highway, RD1, Queenstown (site). The site is located within the area to which Sch 21.22.6 Slope Hill PA: Schedule of Landscape Values applies.

[4] The appeal sought an amendment to the planning provisions affecting the site and changes to the boundaries of the Slope Hill Outstanding Natural Feature (ONF) to ensure the areas to which the notation apply are truly “outstanding” and

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<sup>2</sup> *Burdon v Queenstown Lakes District Council* [2026] NZEnvC 40.

sufficiently “natural”.

[5] Prior to court-facilitated mediation, the court issued a preliminary determination relating to the scope of the Variation.<sup>3</sup> The court determined that there was no scope to amend the ONF, ONL or RCL landscape boundaries as sought by various appeals. However, the court confirmed that there was jurisdiction to alter the Priority Area mapping.

[6] I have read and considered the consent memorandum of the parties dated 16 September 2025 which sets out the agreement reached between the parties to partially resolve the appeal. The agreement reached includes:

- (a) insertion of new text or amendment to existing text to further describe the Priority Area;
- (b) correction of an error in the Summary of Landscape Values section that inadvertently referred to Lake Hayes/Remarkables; and
- (c) amendments to the landscape capacity rating descriptive text in ‘Rural living’ to further guide the application of the rating and state that the rating includes farm houses.

### **Other relevant matters**

[7] Upper Clutha Environmental Society Incorporated (UCESI) had joined the appeal as an interested party under s274 of the RMA. UCESI however confirmed it had no interest in Topic 2 matters and as such they are not signatories to the consent memorandum.<sup>4</sup>

[8] The consent memorandum records the parties’ assurances that there are no issues of scope and that all matters proposed for the court’s endorsement fall within the court’s jurisdiction and conform to the relevant requirements and

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<sup>3</sup> *Burdon v Queenstown Lakes District Council* [2025] NZEnvC 122.

<sup>4</sup> Julian Haworth to the Registry, letter regarding late s274 application (2 April 2025).

objectives of the RMA, including, in particular Pt 2.

[9] No party seeks costs, all parties agreeing that costs should lie where they fall.

### **Orders**

[10] The court makes this order under s279(1) RMA, by consent, rather than as a decision or determination on the merits under s297.

[11] This order is made on the basis of the joint memorandum recording the parties' full agreement. The court understands, for present purposes, that all relevant parties to the proceeding have executed the memorandum requesting the orders.

[12] Based on the information provided and the assurances received, the court is satisfied that the orders will promote the purpose of the RMA. Accordingly, the appeal is allowed, and QLDC is directed to amend the District Plan by making the changes set out in Annexure 1, attached to, and forming part of this consent order.



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



**ANNEXURE 1**

Agreed amendments to Sch 21.22.6 Slope Hill PA: Schedule of Landscape Values

## Annexure 1

### 21.22.6 Slope Hill PA: Schedule of Landscape Values

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Key:

Blue underline = Topic 1 insertion sought by consent documents filed 1 August 2025.

Green underline and strikethrough = Topic 2 insertion or deletion

## 21.22.6 Slope Hill PA: Schedule of Landscape Values

### Application

Preamble 21.22, particularly clauses 3.1 – 3.3, explains that the application of the Priority Area Schedules is to the Rural Zone Priority Area only. The Priority Area Assessment Extent for this Schedule includes areas of land that are zoned Rural and Te Pūtahi Ladies Mile.

### General Description of the Area

The Slope Hill PA encompasses the elevated roche moutonnée landform of Slope Hill ONF.

### Physical Attributes and Values

Geology and Geomorphology • Topography and Landforms • Climate and Soils • Hydrology • Vegetation • Ecology • Settlement • Development and Land Use • Archaeology and Heritage • Mana whenua

### Landforms and land types:

1. The roche moutonnée glacial landform of Slope Hill, formed by the over-riding Wakatipu glacier, with a smooth 'up-glacier' slope to the southwest and a steeper rough 'plucked' (down-glacier) slope to the east adjacent to Lake Hayes. Rock outcrops on the more throughout the elevated north-western flanks. Highest point: 625m.
2. The Slope Hill roche moutonnée is recognised in the NZ Geopreservation Inventory as one of the best examples of this type of landform in Otago and one of the most easily seen and accessible. Much of Slope Hill is identified in the NZ Geopreservation Inventory ~~It is identified~~ as a site of national scientific, aesthetic and recreational values and is considered to be vulnerable to significant damage by human related activities.

### Hydrological features:

3. Three steep (unnamed) stream gullies draining the southern faces of Slope Hill.
4. A gully draining the north-eastern side.
5. A small kettle lake on the elevated south-western flanks.
6. The irrigation race along the western and southern flanks.

### Ecological features and vegetation types:

7. Particularly noteworthy indigenous vegetation features include:
  - a. Remnant native vegetation comprising matagouri shrubland in the stream gullies and on some adjacent slopes on Slope Hill.
8. Other distinctive vegetation types include:
  - a. Grazed pasture with scattered shelterbelts and clusters of exotic shade trees throughout the elevated slopes.
  - b. Amenity and shelter plantings around the two dwellings and wetland on the north side.

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- c. Poplar plantings around the flanks.

#### Land-use patterns and features:

9. Slope Hill PA is predominantly in pastoral use with very limited rural living use. Modification is limited to a network of farm tracks across the landform, other infrastructure (e.g. water tanks [to serve the development of the recently zoned Te Pūtahi Ladies Mile Zone](#), fencing, utilities), a trig point and communication tower on the highpoint and two dwellings and associated farm buildings on the northern sides of Slope Hill. Built development is generally characterised by very carefully located and designed buildings, accessways, and infrastructure, which is well integrated by a mix of established and more recent vegetation features and reads as being subservient to the 'natural' landscape patterns.
10. Other neighbouring land-uses which have an influence on the landscape character of the area due to their scale, character and or proximity include: the rural living development throughout the western, southern and northern lower flanks of the roche moutonnée, outside the PA; the existing or anticipated urban development associated with the [Te Pūtahi Ladies Mile Zone, which provides for buildings ranging in height from 8m to 24.5m adjacent the south side of the PA](#); and the historic Glenpanel Homestead [\(with established gardens\)](#) (listed Item 22) adjacent the south side of the PA.

#### Archaeological and heritage features and their locations:

11. No historic heritage features, heritage protection orders, heritage overlays or archaeological sites have been identified/recorded to date within the ONF.

#### Mana whenua features and their locations:

12. The entire area is ancestral land to Kāi Tahu whānui and, as such, all landscape is significant, given that whakapapa, whenua and wai are all intertwined in te ao Māori.

#### Associative Attributes and Values

Mana whenua creation and origin traditions • Mana whenua associations and experience • Mana whenua metaphysical aspects such as mauri and wairua • Historic values • Shared and recognised values • Recreation and scenic values

#### Mana whenua associations and experience:

13. Kāi Tahu whakapapa connections to whenua and wai generate a kaitiaki duty to uphold the mauri of all important landscape areas.

#### Historic attributes and values:

14. Slope Hill has contextual value for its association with Threeewood Farm, one of the Wakatipu Basin's earliest farms.

#### Shared and recognised attributes and values:

15. The descriptions and photographs of the area in tourism publications. [The Trig point is also an important community asset.](#)

#### Perceptual (Sensory) Attributes and Values

Legibility and Expressiveness • Views to the area • Views from the area • Naturalness • Memorability • Transient values • Remoteness / Wildness • Aesthetic qualities and values

**Legibility and expressiveness attributes and values:**

16. The area's natural landforms, land type, and hydrological features (described above), which are highly legible and highly expressive of the landscape's formative glacial processes.
17. Indigenous gully plantings which reinforce the legibility and expressiveness values within the gullies on Slope Hill.

**Particularly important views to and from the area:**

18. Highly attractive framed mid-range views eastbound on SH6, west of the Shotover Bridge to the south-western smooth 'up ice' flanks of Slope Hill. The composition comprises an attractive patterning of the Shotover River terraces and their layered tree plantings (a mix of evergreen and exotic species including Lombardy poplars) below the highly legible and more 'natural' pastoral elevated slopes of the roche moutonnée and backdropped by (often) snow-capped mountain ranges of Cardrona and the Crown Range. The large-scale road cuttings that frame the highway add to the structure and distinctiveness of the vista. Overall, the outlook impresses as an engaging and memorable gateway to the Wakatipu Basin and seemingly more spacious 'rural' landscape beyond Queenstown / Frankton.
19. Appealing mid to long-range views westbound on SH6 on the elevated section of the highway east of the intersection with Arrowtown Lake Hayes Road to the south-eastern flanks of Slope Hill. The open pastoral character of the rough 'plucked' slopes of the landform in this view forms a bold contrast with the exotic vegetation and building-dominated low-lying terraces of Ladies Mile and Frankton to the left of view. From this orientation, the roche moutonnée blends seamlessly with the layered patterning of dramatic mountains and roche moutonnée that frame the western side of the Wakatipu Basin and Lake Wakatipu more generally. The depth of the outlook together with its 'classic' elements that include a structured layering of mountainous landforms and the gateway impression (enabling first glimpses of Queenstown) contribute to the memorability of the vista. [The urban development enabled through Te Pūtahi Ladies Mile Zone \(with height limits ranging from 8m to 24.5m\) will be likely to obscure views of the lower margins of the PA in places.](#)
20. Highly attractive close to long-range views from the Lake Hayes Trail / Wai Whaka Ata, the necklace of reserves around the edge of Lake Hayes, Arrowtown Lake Hayes Road and the residential area around Waiwhakaata (Lake Hayes) (outside the ONF), across the lake (ONF) to the dramatic and generally undeveloped roche moutonnée, the undeveloped ridgeline framing the western side of the lake and/or the more distant surrounding mountain backdrop.
21. Attractive mid to long-range views from the western side of the Wakatipu Basin (including Tuckers Beach, Domain Road, Hawthorn Triangle, Dalefield, parts of the Shotover River corridor, the Hawthorn Triangle, the eastern end of Slope Hill Road and parts of the Queenstown Trail) to parts of the smooth pastoral elevated south-western flanks and the more rugged north-western flanks. From these orientations, the open and generally undeveloped landform forms a marked contrast with the rural living development context in the foreground of view.
22. Attractive long-range views from the Remarkables Ski Field Access Road (and lookouts), the Queenstown Trail on Christine's Hill and from Arrowtown Lake Hayes Road at McIntyre's Hill to Slope Hill beside the highly attractive glacial lake of Waiwhakaata (Lake Hayes) and viewed within a broader ONL mountain context.
23. Attractive close, mid, and long-range views from Ladies Mile, Lake Hayes Estate and Shotover Country to the south side of Slope Hill. From this orientation the distinguishing roche moutonnée landform profile is clearly legible and there is an awareness of the transition from the smooth 'ice up' character to the rough 'plucked' character. [The urban development anticipated in Te Pūtahi Ladies Mile Zone, on the flats adjacent the south side of the PA, will be likely to obscure views of the lower margins of the PA in places, and will be in contrast to the generally undeveloped roche moutonnée landform.](#)
24. In all of the views, the dominance of 'natural' landscape elements, patterns, and processes evident within the ONF, along with the generally subservient nature of built development within the ONF and the contrast with the surrounding 'developed' landscape character, underpins the high quality of the outlook.

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#### Naturalness attributes and values:

25. The seemingly 'undeveloped' character of Slope Hill which conveys a relatively high perception of naturalness. While modifications related to its pastoral use are visible, the very low number of buildings, the relatively modest scale of tracks and limited visibility of infrastructure (excepting the airport radar structure on the top of the landform) kerbs their influence on the character of the landform as a natural landscape element.

#### Memorability attributes and values:

26. The appealing and engaging views of the largely undeveloped and legible roche moutonnée landform of Slope Hill. The close proximity of Waiwhakaata (Lake Hayes) ONF in the outlook, collectively seen within a relatively developed immediate context serves to enhance the memorability of the outlook.

#### Transient attributes and values:

27. Autumn leaf colour and seasonal loss of leaves associated with the exotic vegetation.
28. Seasonal snowfall and the ever-changing patterning of light and weather across the roche moutonnée slopes.

#### Aesthetic qualities and values:

29. The experience of the values identified above from a wide range of public viewpoints.
30. More specifically, this includes:
- a. The highly attractive large-scale composition created by the generally undeveloped and distinctive roche moutonnée landform, juxtaposed beside a rural living and urban context.
  - b. At a finer scale, the following aspects contribute to the aesthetic appeal:
    - i. the clearly legible roche moutonnée landform profile and character;
    - ii. the open and pastoral character of Slope Hill;
    - iii. the very limited level of built modification evident through the ONF; and
    - iv. the poplars around the flanks of Slope Hill, which contribute to the scenic appeal despite not being native.

### Summary of Landscape Values

Physical • Associative • Perceptual (Sensory)

Rating scale: seven-point scale ranging from **Very Low** to **Very High**.

very low	low	low-mod	moderate	mod-high	high	very high
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The combined physical, associative, and perceptual attributes and values described above for the Slope Hill PA and Lake Hayes / Remarkables can be summarised:

31. **Very High physical values** due to the high-value landforms, vegetation features, habitats, species, hydrological features and mana whenua features in the area.

32. **High associative values** relating to:
- a. The mana whenua associations of the area.
  - b. The historic associations of the area.
  - c. The **strong** shared and recognised values associated with the area.
33. **Very High perceptual values** relating to:
- a. The high legibility and expressiveness values of the area deriving from the visibility and abundance of physical attributes that enable a clear understanding of the landscape's formative processes.
  - b. The very high aesthetic and memorability values of the area as a consequence of its distinctive and appealing composition of natural landscape elements. The visibility of the area from Lake Hayes Estate, Shotover Country, the Ladies Mile corridor, the eastern side of the Wakatipu Basin, the scenic route of SH6, Arrowtown Lake Hayes Road, the Remarkables Ski Field Access Road and the Queenstown Trail, along with the area's transient values, play an important role.
  - c. The identity of the roche moutonnée as a natural landscape backdrop to Ladies Mile and the western and central portion of the Wakatipu Basin and as a gateway feature to Queenstown / the Wakatipu Basin.
  - d. A high perception of naturalness arising from the dominance of natural landscape elements and patterns at Slope Hill.

## Landscape Capacity

The landscape capacity [rating](#) of the [Rural Zone](#) Slope Hill PA for a range of activities is set out below. [This provides high level guidance as to potential characteristics or locational matters that may assist with identifying appropriate development within the PA.](#)

- i. **Commercial recreational activities** — **very limited** landscape capacity for small scale and low-key activities that: integrate with, and complement/enhance, existing recreation features; are located to optimise the screening and/or camouflaging benefit of natural landscape elements; designed to be of a sympathetic scale, appearance, and character; integrate appreciable landscape restoration and enhancement; and enhance public access.
- ii. **Visitor accommodation and tourism related activities** — **very limited** landscape capacity for visitor accommodation associated with existing dwellings and consented platforms which: are located to optimise the screening and/or filtering benefit of natural landscape elements; are designed to be small scale and have a low-key rural character; integrate landscape restoration and enhancement (where appropriate); and enhance public access (where appropriate). **Extremely limited or no** landscape capacity for visitor accommodation elsewhere in the PA. **Extremely limited or no** landscape capacity for tourism related activities within the PA.
- iii. **Urban expansions** — **extremely limited or no** landscape capacity.
- iv. **Intensive agriculture** — **extremely limited or no** landscape capacity.
- v. **Earthworks** — **very limited** landscape capacity for earthworks associated with farm tracks or tracks and trails for recreational use, that protect naturalness and expressiveness attributes and values, and are sympathetically designed integrate with existing natural landform patterns.
- vi. **Farm buildings** — **very limited** landscape capacity for modestly scaled buildings that reinforce existing rural character.

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- vii. **Mineral extraction — extremely limited or no** landscape capacity excepting very small-scale farm quarries.
- viii. **Transport infrastructure — extremely limited or no** landscape capacity.
- ix. **Utilities and regionally significant infrastructure — limited** landscape capacity for infrastructure that is buried or located such that they are screened from external view. In the case of the National Grid and utilities such as overhead lines, cell phone towers, navigational aids and meteorological instruments, where there is a functional or operational need for its location, structures are to be designed and located to limit their visual prominence, including associated earthworks.
- x. **Renewable energy generation — extremely limited or no** landscape capacity for commercial scale renewable energy generation. **Extremely limited** landscape capacity or discreetly located and small-scale renewable energy generation.
- xi. **Forestry — extremely limited or no** landscape capacity for exotic forestry.
- xii. **Rural living — extremely limited** landscape capacity for rural living development (including farm houses) which: is located to optimise the screening and/or filtering benefit of natural landscape elements (including gullies with remnant vegetation); is designed to ~~be small scale and have a low key rural character~~ maintain rural character; integrates landscape restoration and enhancement (where appropriate); and enhances public access (where appropriate).

### PLANT AND ANIMAL PESTS

- A. Animal pest species include feral cats, hares, rabbits, ferrets, stoats, weasels, possums, rats and mice.
- B. Exotic plant pests such as willow, hawthorne and broom in gullies.

