

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

Decision No. [2026] NZEnvC 46

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 MEE HOLDINGS LIMITED

(ENV-2024-CHC-59)

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

CONSENT ORDER



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

¹ 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 is otherwise dismissed.

B: Under s285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] This proceeding concerns an appeal by Mee Holdings Limited 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*² 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 land consisting of the majority of Peninsula Hill (site).³ The site is zoned Rural and is located in the Peninsula Hill Outstanding Natural Feature (ONF) Landscape Priority Area to which Schedule 21.22.1 Peninsula Hill PA: Schedule of Landscape Values applies. The appeal sought amendments to the text of the schedule including to the landscape capacity

² *Burdon v Queenstown Lakes District Council* [2026] NZEnvC 40.

³ Legally described as Lot 1 DP 570393.

ratings and descriptions.

[4] Prior to court-facilitated mediation, the court issued a preliminary determination relating to the scope of the Variation.⁴ 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.

[5] 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) amendment to the landscape capacity rating descriptive text to further guide the application of the rating, including to improve clarity and acknowledge where some guidance may not be relevant to all activities; and
- (c) amendment to the landscape capacity rating for Visitor accommodation from extremely limited or no, to extremely limited and for Commercial recreational activities from very limited to limited.

Other relevant matters

[6] NZSki Limited, Mount Cardrona Station Limited, Cardrona Cattle Company Limited (CCCL), The Milstead Trust (Milstead) and Upper Clutha Environmental Society Incorporated (UCES) each joined the appeal as interested parties under s274 RMA. The joint memorandum records that both CCCL and Milstead informed the Parties that they are not interested in the outcome of the Topic 2 relief sought by the appellant. Further UCES confirmed it had no interest

⁴ *Burdon v Queenstown Lakes District Council* [2025] NZEnvC 122.

in matters allocated to Topic 2.⁵ I am satisfied that all relevant parties have signed the consent memorandum setting out the relief sought.

[7] 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 objectives of the RMA, including, in particular Pt 2.

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

Orders

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

[10] 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.

[11] 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.



J J M Hassan
Environment Judge



⁵ Julian Haworth to the Registry, letter regarding late s274 application (2 April 2025).

ANNEXURE 1

Agreed amendments to Sch 21.22.1 Peninsula Hill PA: Schedule of Landscape
Values

Annexure 1

21.22.1 Peninsula Hill PA: Schedule of Landscape Values

Key:

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

Green underline and strikethrough = Topic 2 insertion or deletion

21.22.1 Peninsula 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 Jacks Point Resort.

General Description of the Area

The Peninsula Hill PA includes the ONF that encompasses the elevated roche moutonnée landform of Peninsula Hill which frames the south side of Whakatipu Waimāori's (Lake Whakatipu's) Frankton Arm. Along its north and west boundaries, the PA adjoins urban zoned land at Kelvin Peninsula. The southern part of the PA coincides with the Jacks Point Zone (Exception Zone) and the Jacks Point Urban Growth Boundary. The south boundary adjoins the Jacks Point Zone Tablelands and Homesites area. The eastern boundary adjoins urban zoned land including Hanley Downs and the Coneburn SHA.

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. Largely unmodified roche moutonnée glacial landform of Peninsula Hill with a smoother and more coherent 'up ice' slope to the southwest/south, and a steeper rough 'plucked' slope extending from the northeast around to the northwest. Highest point: 834m. This form indicates the direction of travel of the glacier that formed the roche moutonnée clearly.
2. Exposed and irregular rock faces and outcrops, landslips and loose boulders throughout the north-western, northern and north-eastern flanks with thin soil cover.
3. Two elevated landform 'ribs' extending on a west to east alignment on the south side of the hill.
4. Further afield, the roche moutonnée of Peninsula Hill is linked to the roche moutonnée of Jacks Point Hill by the Tablelands - a hummocky elevated area formed by glacial processes.

Hydrological features:

5. A series of steep gullies draining from the western, northern, and eastern hill slopes to the Frankton Arm of Whakatipu Waimāori (Lake Whakatipu) or the Kawarau River.
6. Shallow gullies (including localised wetlands) draining the lower-lying landform ribs to the south of the hill in an easterly direction, and which eventually discharge into the Kawarau River.
7. A series of small tarns, formed in topographic depressions in the bedrock left by glacial processes, around the crest of Peninsula Hill and the lower north-western hill slopes.

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21.22.1 Peninsula Hill PA: Schedule of Landscape Values

Ecological features and vegetation types:

8. Particularly noteworthy indigenous vegetation features include:
- Swathes and scattered pockets of grey shrubland dominated by matagouri, occur across the hillslopes with more extensive areas associated with the steeper bluffly terrain overlooking Frankton and Frankton Arm.

8A. Particularly noteworthy ecological features include the lizard sanctuary on the northern side of the PA.

9. Other distinctive vegetation types include:
- Grazed pasture covers the lower southeastern slopes facing the Remarkables, while rough pasture (exotic grassland) occurs on the southern and western side of the hill.
 - Mixed exotic tree plantings throughout the north-western and western lower slopes in the vicinity of the access from Kelvin Peninsula and near the urban zoned land adjoining the western boundary.

Land-use patterns and features:

10. Grazed pasture is the dominant land use across the PA. Associated with this activity is a network of farm tracks throughout the north-western and northern slopes that provide access between Kelvin Peninsula and the hilltop which is also used for paid scenic drive and animal encounter activities, and throughout the lower-lying rib/gully landforms to the south of the hill 'proper' (accessed from Hanley Downs and Jacks Point).
11. Other human modification ~~is limited to~~ includes: a cluster of communication towers on the hilltop; a dwelling on the north-eastern edge of the PA (on Peninsula Road); and a dwelling on the south-western edge (accessed via Preserve Drive) -, tracks, trails, farm buildings (and tourism facilities), access roads and infrastructure and ecological offsetting sites, supporting urban development within the adjoining residential zoning.
12. The Urban Growth Boundary (UGB) at Jacks Point Zone includes the lower-lying ribs and gullies to the south of the hill. Much of this area is zoned Landscape Protection Area (LPA) under the Jacks Point zone and provides an important counterpoint or 'offset' for the urban and rural living development at Jacks Point and Hanley Downs. Within the LPA, policy focuses on enabling low-intensity pastoral farming and landscape restoration. A dwelling is anticipated in a localised hollow at the western end of the uppermost gully with a second dwelling anticipated adjacent the south boundary of the PA. A range of location-specific assessment criteria and development controls are included in the zone provisions to guide an appropriate development outcome. Walking and cycling trails are also anticipated linking between Hanley Downs, Jacks Point and the existing track along the edge of Whakatipu Waimāori (Lake Whakatipu) that connects to Homestead Bay.

12A. Other neighbouring land uses which have an influence on the landscape character of the area due to their character and/or proximity include: the urban zoned land adjoining the western, northern and eastern edges of the PA (where the UGB aligns with the PA boundary).

13. State Highway 6 which runs along the outside of the north-eastern edge of the PA.

Archaeological and heritage features and their locations:

14. Rees or Boyes Cottage (archaeological site F41/761) at the base of Peninsula Hill.

Mana whenua features and their locations:

15. 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.

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21.22.1 Peninsula Hill PA: Schedule of Landscape Values

16. The north-eastern extent of the PA overlaps the mapped wāhi tūpuna Tititea. Tititea was a pā located on the south side of the Kawarau River near Whakatipu Waimāori.

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:

17. Kāi Tahu whakapapa connections to whenua and wai generate a kaitiaki duty to uphold the mauri of all important landscape areas.
18. Kāi Tahu tradition tells of an incident where a 280 strong war party was repelled from this area and chased to the top of the Crown Range, which is now named Tititea in memory of this incident.
19. The mana whenua values associated with Peninsula Hill and Tititea include, but may not be limited to, kāiika and tauraka waka.

Historic attributes and values:

20. The association of the hill with W. G. Rees' early sheep run.

Shared and recognised attributes and values:

21. The descriptions and photographs of the area in tourism publications.
22. The popularity of the views across the Frankton Arm to Peninsula Hill, (partially flanked and backdropped by the Remarkables) as an inspiration/subject for art and photography.
23. The identity of the area as an important gateway feature on the south side of Queenstown.
24. The landmark qualities of the landform as a reference point in views from Queenstown.
25. The popularity of the recreational 'features' listed below.

Recreation attributes and values:

26. The popularity of the area as a tourism destination: as a breeding and finishing farm with deer, sheep, cattle, goats, donkeys, pigs, and miniature horses, many of which can be fed by the public as paid visitors of Deer Park Heights. The area also has a number of film location attractions and picnic spots. Access by vehicle only.
27. Walking and cycling on the Jacks Point Trail (part of the Queenstown Trail) that runs along the western edge of the PA that connects to Homestead Bay.
28. SH6 as a key scenic route in very close proximity.

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:

29. 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, slope and fluvial processes.

Particularly important views to and from the area:

30. Engaging and attractive long-range views from the Frankton Arm, Queenstown, Frankton (including the airport), SH6, Queenstown Hill, the Queenstown Gondola, Queenstown Gardens, and the Frankton Track to the rugged and dramatic north-western, northern, and north-eastern hill slopes. From this orientation the open and distinctive roche moutonnée landform is highly legible and its generally undeveloped character forms a memorable contrast with the fringe of urban development along its base. The waters of the Frankton Arm seen in the foreground of view along with the Remarkables in the background of the outlook add to the scene, establishing it as one of the key vistas associated with Queenstown.
31. Intermittent closer-range views from Kelvin Peninsula that afford an appreciation of the rocky and 'plucked' landform character and dynamic nature of the northwest to northeast side of the hill. The contrast established by this natural landform backdrop seen within an urban context adds to the memorability and appeal of such views.
32. Highly attractive and memorable close to long-range views from the Jacks Point Trail to the south of Peninsula Hill across the undulating tablelands to the dramatic and generally undeveloped roche moutonnée, flanked by Whakatipu Waimāori (Lake Whakatipu) and the distant peaks of Te Taumata-o-Hakitekura (Ben Lomond) and Coronet Peak. The careful siting and design of rural living and urban development within the Jacks Point zone means that, where visible, built development is subservient to the natural landscape in these views.
33. Memorable 'gateway' views from SH6 to the southern and eastern sides of the hill and which screen views to Queenstown. The dominance of the landform feature by virtue of its proximity, scale, distinctive physical form, and undeveloped character, together with the limited awareness of urban development at Jacks Point, adds to the scene.
34. Attractive mid and long-range views from Jacks Point, Hanley Downs, and Coneburn SHA to the southern and/or eastern hill slopes. These orientations afford an appreciation of the rugged character of the eastern side of the feature and the smoother and more coherent landform character on the southern side. The mountainous backdrop against which the feature is seen together with its visual dominance (as a consequence of its scale, proximity, and appearance) and visual connection to the patterning of open and undeveloped hummocky terrain in the foreground of view (which is a fundamental development strategy of the Jacks Point zone) adds to the appeal of the outlook.
35. Appealing longer-range views westbound on the Remarkables Ski Field Access Road. In these views there is an awareness of the scale and form of the landscape feature rising out of the low-lying fans, deltas and hummocky terrain throughout the Coneburn valley. This theme of contrast is reinforced by the legible patterning of urban development (existing or anticipated) across the majority of the valley floor juxtaposed against the undeveloped roche moutonnée. At higher elevations along the road the broader mountain setting adds to the spectacle.
36. Highly attractive mid and long-range views from Whakatipu Waimāori (Lake Whakatipu) to the west and southwest to the smoother western and southern roche moutonnée slopes. From this orientation, built development within the Jacks Point zone is largely screened from view, or, where visible, difficult to see.
37. Engaging and seemingly 'close-range' views from planes approaching or exiting Queenstown airport via the Frankton Arm. Such views offer an appreciation of the rugged nature of the northern hill slopes and the broader glacial landscape context within which the roche moutonnée is set.
38. In all of the views, the dominance of more 'natural' landscape elements, patterns, and processes is evident within the PA along with the very limited extent and generally subservient nature of built development within the PA and the contrast with the surrounding 'developed' landscape character, underpinning the high quality of the outlook.

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21.22.1 Peninsula Hill PA: Schedule of Landscape Values

Naturalness attributes and values:

39. The 'seemingly' undeveloped character of Peninsula Hill (particularly the north and north east exposed rock faces) set within an urban context, which conveys a relatively high perception of naturalness. While modifications related to its pastoral, tourism, and infrastructure use are visible, the very low number of buildings, the relatively modest scale of tracks and limited visibility of infrastructure ~~on top~~ limits their influence on the character of the landform as a natural landscape element.
40. The irregular patterning and proliferation of grey shrubland, exposed rock faces, and areas of visible erosion in places adds to the perception of naturalness.

Memorability attributes and values:

41. The appealing and engaging views of the largely undeveloped and highly legible roche moutonnée landform of Peninsula Hill. The juxtaposition of the landscape feature within an urban context, along with its location on a key scenic highway route and the airport approach path, and the magnificent mountain and lake context within which it is seen in many views, are also factors that contribute to its memorability.

Transient attributes and values:

42. Seasonal snowfall and the ever-changing patterning of light and weather across the roche moutonnée slopes.

Remoteness and wildness attributes and values:

43. The experience afforded from locations such as the Jacks Point Trail and Whakatipu Waimāori (Lake Whakatipu) to the west and southwest, where views of Peninsula Hill are generally unencumbered by visible built development, contributes to an impression of remoteness. The juxtaposition of the generally undeveloped 'natural' landform in close proximity to Queenstown, which in places contributes to an impression of wildness that is in contrast to the surrounding urban area – and the experience afforded from locations such as the Jacks Point Trail and Whakatipu Waimāori (Lake Whakatipu) to the west and southwest, where views of Peninsula Hill are generally unencumbered by visible built development, contributes an impression of remoteness.

Aesthetic attributes and values:

44. The experience of the values identified above from a wide range of public viewpoints.
45. More specifically, this includes:
 - a. The highly attractive and memorable composition created by the generally undeveloped roche moutonnée landform, juxtaposed beside an urban context or natural lake/mountain setting.
 - 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 Peninsula Hill;
 - iii. the distinctly rugged character of the northern side of the feature and the more coherent appearance of the southern side of the feature as a consequence of the landform and vegetation character; and,
 - iv. the very limited level of built modification evident through the PA.
46. It is noted that control of plant pest species such as wilding pines can temporarily detract from aesthetic values.

Summary of Landscape Values

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21.22.1 Peninsula Hill PA: Schedule 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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These various combined physical, associative, and perceptual attributes and values described above for PA Peninsula Hill can be summarised as follows:

47. **High physical values** due to the high-value landforms, vegetation features, habitats, species, hydrological features and mana whenua features in the area.
48. **High associative values** relating to:
- The mana whenua associations of the area.
 - The strong shared and recognised values associated with the area.
 - The recreational attributes of the ONF.
49. **Very High perceptual values** relating to:
- The high legibility and expressiveness values of the area deriving from the visibility of physical attributes that enable a clear understanding of the landscape's formative processes.
 - The 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 Queenstown, Frankton, SH6, Whakatipu Waimāori (Lake Whakatipu), the Jacks Point and Frankton Trails, Kelvin Peninsula, Hanley Downs, Coneburn SHA, Jacks Point, the Remarkables Ski Field Access Road, and the airport approach path, along with the area's transient values, play an important role.
 - A high perception of naturalness arising from the dominance of the more natural landscape across Peninsula Hill.
 - A sense of remoteness afforded from locations such as the Jacks Point Trail and southwestern waters of Whakatipu Waimāori (Lake Whakatipu). A sense of ~~and~~ wildness primarily as a consequence of the landform's proximity to Queenstown and urban development within the Coneburn valley and the overt contrast established by its scale, naturalness and dramatic appearance within an urban context. From some orientations on the lake and local trail network to the southwestern, the very limited visibility of built development in the wider outlook establishes Peninsula Hill as part of the expansive natural landscape.

Landscape Capacity

The landscape capacity rating of the Rural Zone PA Peninsula 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.

- 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 (where appropriate); and enhance public access (where appropriate).
- Visitor accommodation** — extremely limited landscape capacity. ~~and Tourism related activities~~ — **extremely limited or no** landscape capacity ~~for tourism related activities. Excepting in relation to the two~~

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~~homesites within the Jacks Point zone and consented dwellings within the PA at Hanleys Farm, extremely limited or no landscape capacity for visitor accommodation activities.~~

- 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, ~~where they that~~ protect naturalness and expressiveness attributes and values, and are sympathetically designed to integrate with existing natural landform patterns.
- vi. **Farm buildings** — **very limited** landscape capacity for modestly scaled buildings that reinforce existing rural character in lower-lying flat land ~~or visually discrete locations~~ within the PA.
- 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, water reservoirs and associated infrastructure (including earthworks), 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 large scale renewable energy developments. **Very limited** landscape capacity for discreetly located and small-scale renewable energy generation.
- xi. **Forestry** — **extremely limited or no** landscape capacity for exotic forestry.
- xi. **Rural living** — **extremely limited** landscape capacity for rural living development ~~which that~~ is: located to optimise the screening and/or filtering benefit of natural landscape elements; ~~is~~ designed to be small scale; ~~and~~ have a low-key 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 goats, feral cats, ferrets, stoats, weasels, hares, rabbits, possums, rats and mice.
- B. Plant pest species include wilding pines, hawthorn, broom and sweet briar. Woody weeds cover much of the north facing slopes including the bluffy terrain overlooking Frankton and the Kawarau River.

