

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

Decision No. [2026] NZEnvC 223

IN THE MATTER

of the Resource Management Act 1991

AND

an appeal under cl 14 of the First
Schedule of the Act

BETWEEN

BOXER HILL TRUST

(ENV-2019-CHC-38)

Appellant

AND

QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

Court: Environment Judge J J M Hassan
Sitting alone in Chambers

Last case event: 17 June 2026

Date of Decision: 7 September 2026

Date of Issue: 7 September 2026

**DETERMINATION OF THE ENVIRONMENT COURT
BY CONSENT**

REASONS

Introduction



[1] This proceeding relates to an appeal by Boxer Hill Trust (BHT) against part of the decision of the Queenstown Lakes District Council (QLDC) as part of

BOXER HILL TRUST v QLDC – PDP – STAGE 2 – DETERMINATION BY CONSENT

Stage 2 of the review of the Queenstown Lakes Proposed District Plan (PDP). It relates to the appellant's land, a 19.6 ha property at the north-east corner of Arrowtown-Lake Hayes Road and Hogans Gully Road, Wakatipu Basin (Site).¹

[2] On 17 June 2026 the parties filed a joint memorandum outlining the agreement reached to resolve the appeal.

[3] Before addressing the terms of that agreement, it is useful to first outline the site context and the background to the appeal, which has been under active case management by the court for some time.

Site

[4] The Site is generally flat and largely vacant, aside from a barn and a row of established poplar trees alongside a driveway from Hogans Gully Road to properties to the north. The Site is used for farming and equestrian activities.

[5] The Site is located within the Lake Hayes catchment. An excavated pond is located within the lower lying part of the Site near the Hogans Gully Road boundary, and a drainage channel runs westwards, approximately parallel with Hogans Gully Road, to Arrowtown-Lake Hayes Road.

[6] Immediately east of the Site are rural lifestyle properties and The Hills Resort Zone, which has an 18-hole golf championship golf course, club house and other golf-related activities, with activity areas enabling other resort facilities, visitor accommodation and residential units.

[7] To the north of the Site, the land rises and is generally vegetated with rural lifestyle properties located at higher elevations.

[8] To the west is the north Lake Hayes rural residential area and Ayrburn

¹ Legally described as Lot 6 DP 392663.

which contains a large hospitality precinct and events venue, with vineyards and Ayr Avenue fronting Arrowtown-Lake Hayes Road immediately opposite the Site, and rural lifestyle properties south of Ayr Avenue.

[9] To the south on the opposite side of Hogans Gully Road is a rural lifestyle area (zoned as Precinct) broadly part of the north Lake Hayes settlement node, that is zoned as having capacity for additional rural residential development.

Background

[10] In Stage 1 of the PDP (as notified) the Site was contained within the Rural Zone and the Rural Character Landscape classification applied as an overlay control in the rural areas of the Wakatipu Basin. BHT's submission on Stage 1 sought that the Site be rezoned to Rural Lifestyle.

[11] In November 2017, QLDC notified Stage 2 of the PDP, which varied the provisions notified as part of Stage 1 of the PDP for the Wakatipu Basin. As notified, the Site was contained within the Wakatipu Basin Rural Amenity Zone – Lifestyle Precinct (Precinct) and within Landscape Character Unit 8: Speargrass Flat (LCU8) which described the “capacity to absorb additional development” as “High” in this part of the landscape character unit.

[12] The appellant's submission on Stage 2 supported the LCU8 description and sought retention of the notified Precinct zoning.

[13] The Independent Hearing Panel's recommendation was to downgrade the LCU8 rating of the “capacity to absorb additional development” to “Low” for this part of the LCU and to include the Site in the WBRAZ, not the Precinct. QLDC accepted that recommendation in its decision on stage 2 of the PDP.

[14] The reasons given for the decision to downgrade the development capacity rating and to down-zone the Site and surrounding land to WBRAZ related to effects on landscape values, water quality issues, and wastewater disposal.

[15] In May 2019 BHT appealed QLDC's decision.

[16] Following lodgement of the appeal, court-facilitated mediation took place in early 2021. The parties made progress but were unable to reach full agreement. The parts of the appeal allocated to Topic 30 that sought amendments to provisions related to the Wakatipu Basin were resolved by consent order dated 27 July 2021.

[17] The remaining points of appeal relevant to this determination were allocated to Topic 31. Those appeal points sought reinstatement of Precinct zoning over the Site, and amendments to the description of LCU 8 contained in Sch 24.8.

[18] Parties agreed to reconvene for mediation. However, for various reasons including a change to QLDC's expert team, some delay ensued. Initially, when mediation resumed it proved unsuccessful and the court made an evidence timetable direction in anticipation of a need to hear the appeal points.

[19] Following completion of a sequential evidence exchange, at the request of the parties the appeal was put on hold pending determination of an issue as to the application of the National Policy Statement for Highly Productive Land 2022 (NPS-HPL) to this and other Topic 31 appeals.

[20] *Wakatipu Equities Ltd v Queenstown Lakes District Council*, the court's determination on that preliminary issue, was issued on 5 September 2023.² The significance for this appeal is that the NPS-HPL does not present any bar to the now agreed relief.

[21] However, the landscape and planning evidence exchanged by BHT and QLDC, filed with the court, revealed some differences of professional opinion

² *Wakatipu Equities Ltd v Queenstown Lakes District Council* [2023] NZEnvC 188.

between the relevant experts:

- (a) BHT's landscape and planning evidence supported the application of Precinct zoning over the Site which would also be subject to a structure plan providing for bespoke spatial outcomes for the Site. Their support was of a zoning outcome that included a Structure Plan that would allow for 10 rural lifestyle sites, structure planting, ecological planting for stormwater management, and an open space area around the periphery of the Site adjoining Arrowtown-Lake Hayes Road and Hogans Gully Road. The proposed provisions included a requirement for the rural lifestyle sites to connect to the Council's reticulated wastewater network (which runs along Arrowtown-Lake Hayes Road);
- (b) QLDC's landscape and planning evidence opposed this relief and sought the retention of WBRAZ zoning over the Site.
- (c) BHT's rebuttal evidence continued to support the relief subject to some further detail concerning stormwater management and water quality (in response to ORC's evidence).

Agreement reached

[22] Through informal discussions the parties have reached a settlement in terms of which they seek a consent order to resolve the appeal.³

[23] Together with their joint memorandum seeking consent order, the parties filed the following documents as the basis upon which they are satisfied that their settlement satisfies all relevant Resource Management Act 1991 (RMA) requirements:

- (a) a joint witness statement of the landscape experts, Yvonne Pflüger and Helen Mellsop, dated 14 April 2024;

³ From the 32AA evaluation at [36].

- (b) a record of conferencing of the planning experts (Jeff Brown, Marcus Langman, Andrew MacLennan) dated 19 May 2026;
- (c) a joint witness statement of those planning experts, dated 16 June 2026; and
- (d) a report dated 16 June 2026 ('s32AA report') that presents an evaluation, in light of that evidence, of the planning outcomes agreed according to the various matters in s32AA RMA, and with regard to objectives and policies of the Operative Otago Regional Policy Statement 2019 and the proposed Otago Regional Policy Statement 2021, and the PDP. Although the author(s) of this report are not recorded, the court infers that it has been undertaken with due oversight by QLDC as the respondent.

[24] The joint memorandum records that the outcome proposed for the court's endorsement has been negotiated between the parties and departs from evidence previously filed with the court.

[25] The agreement reached includes retention of the WBRAZ as the underlying zoning and the application of the Hogans Gully West Structure Plan (Structure Plan) as an overlay of the WBRAZ over the Site. Together with the agreed amendments to provisions in Chs 24 and 27, most of the Site would be maintained for rural purposes (with a limited area providing for rural lifestyle development opportunities in the eastern part of the Site).⁴ Specifically, the agreed amendments to the decision version PDP provisions (in Chs 24 and 27) provide for a structure plan approach to development of the Site, including:

- (a) a new Structure Plan in section 27.13 of Ch 27 identifying a residential activity area, a rural activity area, a stormwater management activity area and two structure planting areas;
- (b) a new Obj 27.3.31 and Pols 27.3.31.1 – 27.3.31.6 in relation to the

⁴ Section 32AA Evaluation, Boxer Hills Trust – 37 Arrowtown-Lake Hayes Road, Wakatipu Basin, 14 June 2026.

Structure Plan;

- (c) a new r 27.5.19D providing for subdivision to create a balance allotment for land within each of the rural activity areas and stormwater management activity area within the Structure Plan as a restricted discretionary activity;
- (d) a new minimum lot area requirement within the Structure Plan;
- (e) a new r 27.7.35 for subdivisions consistent with the Structure Plan as a restricted discretionary activity,⁵ or in certain situations, as a noncomplying activity;⁶
- (f) addition of a cl (j) to Pol 24.2.1.5 providing that development must be consistent with the Structure Plan;
- (g) new rules⁷ for activities within the Structure Plan area, including landscaping and conservation planting as permitted activities, the discharge of wastewater to land, the construction of buildings other than farm buildings within the Rural activity area and the construction of any building for residential activity within the stormwater management Activity Area as non-complying activities;
- (h) a new density standard⁸ for areas within the Structure Plan limiting development to one residential unit per site, a minimum average site area of 1 ha, and a minimum net site area of 6,000 m², and restricting subdivision for residential purposes to a maximum of four sites within the residential activity area;
- (i) a new r 24.5.9.6 as to road setback standards restricting setbacks of any building from Hogans Gully Road and Arrowtown-Lake Hayes Road to a minimum of 75 m; and
- (j) amendments to various sections/elements of LCU8 in Sch 24.8.⁹

⁵ Rule 27.7.35.1.

⁶ Rule 27.7.35.2.

⁷ Rules 24.4.28.1 – 24.4.28.4.

⁸ Standards 24.5.1.6B.

⁹ Amendments were made to the descriptions of Character Unit boundaries, Settlement Patterns, Naturalness, sense of place and the capability to absorb additional development.

[26] The joint memorandum, supported by the noted evidence and report, explains that the parties understand the overall effect of this package of changes to the PDP will be to ensure that development adheres to the Structure Plan. The parties agree that this would:

- (a) enable rural lifestyle development in the eastern part of the Site, (in the “Residential Activity Area”); and
- (b) restrict the balance of the Site (the “Rural Activity Area”) to the rural activities identified under the WBRAZ.

[27] The joint memorandum explains that the Structure Plan identifies the lower lying area of the Site that includes a water body as being for stormwater management purposes. The agreed provisions would require that stormwater management works, including ecological planting, be undertaken within that assigned area. Those works would be required to be established prior to the construction of dwellings. They would be required to be maintained to ensure their long-term effectiveness in reducing stormwater contaminants and sediment and achieving water quality improvements in Lake Hayes.

[28] The joint memorandum also explains that indigenous landscaping will be required to integrate built development into the landscape character of the setting. The agreed provisions are designed to ensure that planting required within the “Structure Planting Areas” is established prior to the construction of any dwellings. The planting would be required to be maintained to ensure its long-term effectiveness in contributing to the visual amenity values of the Structure Plan area and the wider landscape setting.

[29] These agreed amendments deviate from the evidence filed earlier in the course of the proceeding.¹⁰ This includes a reduction in the number of rural lifestyle lots from ten to four, located within the eastern part of the Site and with

¹⁰ As earlier described.

identified planting areas to provide for visual mitigation and to integrate visually with the adjacent land in The Hills Resort Zone.

[30] The joint memorandum records that the parties have sought advice from their respective landscape and planning experts with regard to the proposed outcome, to ensure that the Structure Plan and associated provisions are workable and accord with the scheme of Ch 24 and the PDP as a whole. That is supported by the above-noted joint witness statements.

[31] The s32AA report concludes that the objectives, supporting policies and methods applying to the Hogans Gully West area, as identified in the Hogans Gully West Structure Plan, will result in a more effective, integrated and appropriate land use regime than the status quo WBRAZ, in achieving the purpose of the RMA.

Parties to the appeal

[32] Four parties joined this appeal as interested parties under s274 RMA. Of those, three subsequently withdrew their interest.¹¹ ORC is the only remaining interested party and has signed the consent memorandum setting out the relief agreed.

Evaluation

[33] The court understands for present purposes that all relevant parties to the proceeding have executed the memorandum requesting the orders.

[34] The joint memorandum records that the parties consider the agreed amendments are more appropriate than retaining the WBRAZ status quo for the appeal Site and resolve the issues in contention between the parties allocated to

¹¹ Jessica Wilkinson and John Thomssen withdrew by notice dated 21 December 2020. James and Rebecca Hadley withdrew by notice dated 23 August 2024. Jan Andersson withdrew by notice dated 18 November 2025.

Topic 31, Subtopic 2.

[35] The joint memorandum further records an agreed position that the amendments sought to be made to the PDP by this determination are within the scope of the relief sought by the appeal, fall within the court's jurisdiction, and satisfy relevant RMA requirements.

[36] Having considered the joint witness statements and the s32AA report, I am satisfied that the parties reliably and soundly give those assurances.

[37] Therefore, not as a decision on the merits, but relying on those assurances and pursuant to s279(1)(b) RMA, I make the orders sought.

Outcome

[38] By order under s279(1)(b) RMA, the appeal is allowed to the extent that QLDC is directed to amend the PDP by making the changes set out in Attachment A, attached to, and forming part of this determination.

[39] The remaining relief sought by the appeal, as allocated to Topic 31; Subtopic 2 is otherwise dismissed.

[40] No party seeks costs; all parties agreeing that costs should lie where they fall. There is no order as to costs.



J J M Hassan
Environment Judge | Kaiwhakawā o te Kōti Taiao



ATTACHMENT A

The agreed amendments to PDP provisions and the Structure Plan
(additions are shown underlined and deletions are shown as ~~strike through~~)

Attachment A

Provisions for Hogans Gully West Structure Plan area

[Agreed additions are shown underlined in blue]

(a) Chapter 24 – Wakatipu Basin

24.3 Policies

- 24.2.1.3 Subdivision or residential development in all areas of the Wakatipu Basin Rural Amenity Zone outside of the Precinct that are identified in Schedule 24.8 to have Moderate capacity must be of a scale, nature and design that:
- is not inconsistent with any of the policies that serve to assist to achieve objective 24.2.1; and
 - ensures that the landscape character and visual amenity values of each relevant LCU as identified in Schedule 24.8 is maintained or enhanced by ensuring that landscape capacity is not exceeded.
- 24.2.1.4 Within those areas identified as having a landscape capacity rating of Moderate, do not allow any new residential development and subdivision for residential activity that is not located and designed so as to:
- avoid sprawl along roads;
 - maintain a defensible edge to and not encroach into any area identified as having Moderate-low, Low or Very Low landscape capacity rating;
 - minimise incremental changes to landform and vegetation patterns associated with mitigation such as screen planting and earthworks which adversely affect important views of the landform and vegetation character identified for the relevant Landscape Character Units in Schedule 24.8; and
 - not degrade openness when viewed from public places if that is identified in Schedule 24.8 as an important part of the landscape character of the relevant area, including as a result of any planting or screening along roads or boundaries.
- 24.2.1.5 Ensure the following outcomes in the consideration of any proposal for subdivision or residential development:
- ...
- j. in the part of LCU 8 in the area described as the “Eastern portion of LCU 8” east of Arrowtown-Lake Hayes Road, development must be consistent with the Hogans Gully West Structure Plan area in Section 27.13.

24.4 Rules – Activities

	Table 24.1 – Activities	Activity Status
...		
<u>24.4.28</u>	<u>Within the Hogans Gully West Structure Plan located in Section 27.13:</u>	

	24.4.28.1 Landscaping and conservation planting in Activity Area R and within the SPA areas shown on the Structure Plan	P
	24.4.28.2 The discharge of wastewater to land	NC
	24.4.28.3 The construction of buildings other than farm buildings in Activity Area RU;	NC
	24.4.28.4 The construction of any building for residential activity within Activity Area SM.	NC

	Table 24.2 - Standards	Non-compliance status
...		
24.5.1.6B	On any site located within Activity Area R of the Hogans Gully West Structure Plan located in Section 27.13, a maximum of one residential unit per net site area and average area: 6,000m² minimum and 1ha average; and provided that no more than four sites for residential purposes shall be created Activity Area R.	NC
...		
24.5.9	Setback from roads ... 24.5.9.6 Within the Hogans Gully West Structure Plan located in Section 27.13, the minimum setback of any building from Hogans Gully Road and Arrowtown-Lake Hayes Road shall be 75m.	
...		

(b) Chapter 24.8 – Landscape Schedules

Change the LCU8 text as follows:

8. Speargrass Flat

Landscape Character Unit	8. Speargrass Flat
...	
Character Unit boundaries	North: ridgeline crest, Millbrook Structure Plan area and The Hills Resort Zone
...	

Settlement Patterns	Dwellings tend to be well separated and framed by plantings, or set into localised landform patterns. Generally dwellings are located on the flat land adjacent the road although a very limited number of consented but unbuilt platforms located on elevated hill slopes to the south (that enjoy northern aspect). Overall very few consented but unbuilt platforms (3). Typical lot sizes: the majority of lots are over 50ha.
...	
Naturalness	The area displays a reasonable degree of naturalness as a consequence of the relatively limited level of built development evident, particularly in the western and central parts of the unit. Towards the far eastern end of the unit there is more rural living development, which reduces the perception of naturalness.
Sense of Place	Generally, the area displays a predominantly working rural landscape character with scattered and for the most part, relatively subservient rural residential development with pockets of sympathetic rural residential development evident in places. Whilst Hawthorn Triangle and Lake Hayes Rural Residential LCUs form part of the valley landscape, their quite different character as a consequence of relatively intensive rural residential development sets them apart from the Speargrass Flat LCU, with the latter effectively reading as 'breathing space' between the two. To the eastern end of the unit, there is the perception of the Lakes Hayes Rural Residential area sprawling west into Speargrass Flat.
...	
Environmental characteristics and visual amenity values to be maintained or enhanced	... <i>Eastern portion of LCU8</i> <i>Integration of buildings with landform and/or planting.</i> <i>Maintenance of a spacious and open outlook in views from the Queenstown Trail and Arrowtown Lakes Hayes Road, including the southbound view as one descends Christine's Hill.</i> <i>Maintenance of openness in views from Hogans Gully Road to the backdropping hill/escarpment landforms and broader ONL mountain context.</i>
Capability to absorb additional development	Low. Moderate - within the Residential Activity Areas shown on the Ayrburn Structure Plan; <u>and within Activity Area R of the Hogans Gully West Structure Plan</u> in Section 27.13.

(c) Chapter 27 – Subdivision

27.3 Location Specific Objectives and Policies

...

Hogans Gully West

27.3.31 Objective – subdivision that enables rural living development in a way

that maintains landscape character and visual amenity values and improves water quality values.

Policies

- 27.3.31.1 Enable subdivision that is consistent with the Hogans Gully West Structure Plan located in Section 27.13.
- 27.3.31.2 Require substantial building setbacks from Arrowtown-Lake Hayes Road and Hogans Gully Road to maintain openness in views to the backdropping hill/escarpment landforms and broader ONL mountain context.
- 27.3.31.3 Require indigenous landscape planting to integrate built development into the landscape character of the setting, and to ensure that planting required within the Structure Planting Areas as shown on the Structure Plan area is established prior to construction of dwellings and is maintained to ensure its long-term effectiveness in contributing to the visual amenity values of the Structure Plan area and wider setting.
- 27.3.31.4 Ensure that accessway lighting avoids adverse effects on views of the night sky.
- 27.3.31.5 Require that stormwater management works including ecological planting required within the Structure Plan area are established prior to the construction of dwellings and are maintained to ensure their long-term effectiveness in reducing stormwater contaminants and sediment and achieving water quality improvements in Lake Hayes.
- 27.3.31.6 Require that all wastewater disposal connects to established reticulated community systems.

27.5 Rules – Subdivision

27.5.1 All subdivision ...

	Subdivision Activities – District Wide	Activity Status
...		
27.5.9	All subdivision activities, unless otherwise provided for, in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct. Discretion is restricted to: - Location of building platforms and vehicle access; - Subdivision design and lot layout including the location of boundaries, lot shape and dimensions (but excluding lot area); - Location, scale and extent of landform modification, and retaining structures; - Property access and roading; - Esplanade provision; - Natural hazards; - Firefighting water supply and access; - Water supply;	RD

	i. Network utility services, energy supply and telecommunications; j. Open space and recreation provision; k. Opportunities for nature conservation values, and natural landscape enhancement; l. Easements; m. Vegetation, and proposed planting; n. Fencing and gates; o. Wastewater and stormwater management; p. Connectivity of existing and proposed pedestrian networks, bridle paths, cycle networks; q. Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contributions of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment. Advice Note: Refer to the Wakatipu Basin Rural Amenity Zone location specific rules in 27.7.18 — 27.7.21.	
...		
27.5.19D	Subdivision within the Hogans Gully West Structure Plan located in Section 27.13 for the purpose of creating a new balance allotment each for the land within Activity Area RU and Activity Area SM. Discretion is restricted to the matters (d), (l), (m), (n), (o), (p) and (q) listed in Rule 27.5.9.	RD

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. ...

Zone		Minimum Lot Area
...		
	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:	
...		
	Wakatipu Basin Rural Amenity Zone, except where in conjunction with Rule 27.5.19B and Rules 27.5.19C and Rule 27.5.19D	80ha
	LCU 8, for the land comprised within the Hogans Gully West Structure Plan	6,000m² minimum and 1ha average for lots within Activity Area R on the

		Structure Plan No minimum for a lot containing Activity Area RU or Activity Area SM.
...		

27.7 Zone – Location Specific Rules

	Zone and Location Specific Rules	Activity Status
...		
27.7.1	Subdivision consistent with a Structure Plan that is included in the District Plan (except Structure Plans 27.13.7 Criffel Station, 27.13.9 Frankton North, 27.13.13 Connell Terrace, 27.13.14 Ballantyne Road and 27.13.19A Arcadia Rural Visitor Zone, 27.13.19 Lake Hāwea South, 27.13.20 Wharehuanui Hills East Structure Plan, 27.13.21 Te Pūtahi Ladies Mile Zone, 27.13.22 Ayburn, 27.13.23 Hāwea / Wānaka Sticky Forest and 27.13.24 Victoria Flats Sub-Zone) and 27.13.25 Hogans Gully West) ...	C
...		
27.7.35	Hogans Gully West 27.7.35.1 Subdivision consistent with Structure Plan 27.13.25 for the Hogans Gully West area. Discretion is reserved to: (a) The relevant matters listed under Rule 27.5.9. (b) The content of, and adequacy of any measures proposed by, the Stormwater Management Plan for the Structure Plan area, and the methods to ensure that the works required by the Stormwater Management Plan are completed prior to the construction of dwellings in Activity Area R and maintained in perpetuity. (c) The content of a Landscape Planting Plan demonstrating how the built development will integrate with the landscape character of the setting, and the methods for ensuring that the planting required in the Structure Planting Areas shown on the Structure Plan will be completed prior to the construction of buildings. For the purposes of this rule, completion of the planting will be when all of the planting and any required irrigation have been installed and monitored for a minimum period of 6 months and certified by the Council as being completed. (d) The methods to ensure that adverse effects on views of the night sky are avoided including by ensuring	RD

accessway lighting is low in height from the ground, of reduced lux spill and directed downwards.

Information requirements:

1. Any application for subdivision shall include an *Stormwater Management Plan* for the Structure Plan area. The purpose of the *Stormwater Management Plan* is the improvement of ecological values and water quality within the Structure Plan area and the Lake Hayes Catchment. The *Stormwater Management Plan* shall:

- (a) be prepared by a suitably qualified plant ecologist and a hydrological / water quality expert;
- (b) identify the existing water-quality conditions on the Site and in the relevant part of the Lake Hayes Catchment,
- (c) demonstrate how the subdivision will achieve a net improvement in water quality, including a reduction in contaminants entering receiving environments,
- (d) identify the stormwater and ecological measures that will be used to achieve this improvement and demonstrate their suitability and expected effectiveness, including ecological planting within Activity Area SM, and
- (e) set out how these measures will be maintained, owned and monitored over the long term to ensure they continue to operate effectively.

2. Any application for subdivision shall include a *Landscape Planting Plan*. The purpose of the *Landscape Planting Plan* is to integrate built development within the Structure Plan area with the landscape character of the setting. The landscape planting plan shall:

- (a) be prepared by a suitably qualified landscape architect or botanical expert;
- (b) include planting for the Structure Planting Areas shown on the Structure Plan;
- (c) include the following species:

<u>Species</u>	<u>Common name</u>
<u><i>Chionochloa rubra</i></u>	<u>Red tussock</u>
<u><i>Coprosma propinqua</i></u>	<u>Mingimingi</u>
<u><i>Coprosma rigida</i></u>	
<u><i>Coprosma rugosa</i></u>	
<u><i>Coprosma virescens</i></u>	
<u><i>Discaria toumatou</i></u>	<u>Matagouri</u>
<u><i>Fuscopora solandri</i></u>	<u>Mountain beech</u>
<u><i>Nothofagus menziesii</i></u>	<u>Silver beech</u>
<u><i>Hoheria lyallii</i></u>	<u>Ribbonwood</u>
<u><i>Grislinea littoralis</i></u>	<u>Broadleaf</u>
<u><i>Pseudopanax ferox</i></u>	<u>Fierce lance-wood</u>

	<u>Any shrubs considered to be part of the Grey Shrubland Plant category</u> (d) <u>comprise planting that is:</u> (i) <u>of revegetation grade and eco-sourced;</u> (ii) <u>planted at a sufficient density to fulfil the intended role of integrating the development with the landscape character of the setting;</u> (iii) <u>supported by mulch, drip irrigation and wind protection;</u> (iv) <u>fenced, or otherwise protected from interference by stock or rabbits.</u> (e) <u>provide mechanisms to ensure that the works required by the Landscape Planting Plan are:</u> (i) <u>carried out prior to the construction of dwellings in the Structure Plan Area; and</u> (ii) <u>maintained in perpetuity.</u>	
	<u>27.7.35.2 Any subdivision that:</u> (a) <u>does not provide the information required in 27.7.35.1 above; or</u> (b) <u>creates more than four new allotments for residential purposes in Activity Area R on the Structure Plan; or</u> (c) <u>creates new titles within Activity Area R on the Structure Plan that are not required to connect to the reticulated wastewater disposal system.</u>	<u>NC</u>

Part 27.13 Structure Plans – add the following:

27.13.25 Hogans Gully West

