

Full Council

25 June 2026

Report for Agenda Item | Rīpoata moto e Rāraki take [Governance to Complete]

Department: Planning & Development

Title | Taitara: Report and recommendations of the Independent Hearing Panel for The Hills Private Plan Change to the Proposed District Plan

Purpose of the Report | Te Take mō te Pūroko

The purpose of this agenda report is to provide the Independent Hearing Panel's (IHP, Panel) Recommendation Report (IHP Report) on the Hills Resort Zone Private Plan Change (PPC1) to Council, and seek decisions on the recommended changes to the Proposed District Plan (PDP). The IHP Report is provided as Attachment A and includes the recommended revised provisions.

Executive Summary | Whakarāpopototaka Matua

The Planning and Strategy Committee formally accepted the request for PPC1 at the meeting of 23 June 2025. PPC1 was then notified using the processes set out in the First Schedule of the Resource Management Act (RMA; the Act) between 8 August 2025 and 12 September 2025, and the summary of decisions requested was notified for further submissions between 23 October 2025 to 11 November 2025.

The IHP was formally appointed by Council to hear, deliberate and make recommendations on submissions on PPC1 at the 27 November 2025 meeting of Full Council.

Twenty-one submissions were received on PPC1, with two of these submissions being formally withdrawn prior to the hearing. The submissions comprised 51 submission points ranging from being in full support of PPC1 to being opposed to certain aspects of the proposal. No submissions were received in opposition to the entire proposal.

The hearing was held in Queenstown on 14 and 15 April 2026, and the hearing was formally closed by the IHP on 28 April 2026, following receipt of the Requestor's closing submissions.

The IHP Recommendation Report recommends that, pursuant to Clause 10 of the First Schedule of the RMA, the Council approves PPC1, subject to modifications. The Recommendation Report accepts the changes to provisions agreed by the Requestor to address matters raised in submissions and during evidence exchange prior to the hearing. The Recommendation Report also recommends one additional minor change to the notified provisions regarding the issues raised by submitters during the hearing.

This agenda report sets out two reasonably practicable options available to the Council on PPC 1. It is recommended that the IHP's recommendations on submissions are adopted as a Council Decision.

Recommendation | Kā Tūtohuka

That the Council:

1. **Note** the contents of this report;
2. **Adopt** the Independent Hearing Panel Report and recommendations on submissions on the Hills Resort Zone Private Plan Change (PPC1) to the Proposed District Plan as a Council decision;
3. **Direct** staff to alter the Proposed District Plan provisions to reflect the recommended change and to correct minor errors and make changes of a minor effect in accordance with clause 16(2) of the First Schedule of the Resource Management Act 1991; and
4. **Note** that adopting the report and recommendations as the Council decision means that the Council also adopts the reasons for those decisions as set out in the Independent Hearing Panel Report;
5. **Note** that private plan changes which are accepted by Council are cost-recoverable up to the Council decision pursuant to Section 36 of the Resource Management Act 1991;
6. **Direct** staff to notify the decision in accordance with the First Schedule of the Resource Management Act 1991.

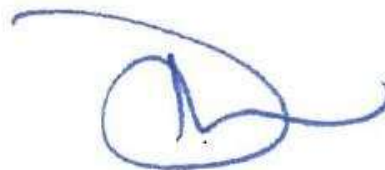
Prepared by:



Name: Sean Cameron Widdowson
Title: Policy Planner

29 May 2026

Reviewed and Authorised by:



Name: David Wallace
Title: Planning & Development General
Manager
29 May 2026

Context | Horopaki

Background

- 1 The Requestor (The Hills Resort Limited; THRL) formally submitted a private plan change request on 14 November 2024, requesting changes to PDP Chapter 47 - The Hills Resort Zone (THRZ) and for consequential changes to District Wide Chapters of the PDP. The scope of PPC1 is confined to land within THRZ and this is the first private plan change request to the PDP. The private plan change request was made by the landowner The Hills Resort Limited (THRL) to change the Zone's Structure Plan 'by amending the location and extent of existing Activity Areas, establishing 11 additional Home Sites in the south of the THRZ and providing for three new Activity Areas associated with the resort, along with consequential amendments to provisions arising from these changes'¹.
- 2 Private Plan Changes are not subject to central government's 'planstop', and therefore a planstop exemption was not required for the private plan change to proceed².
- 3 A request for further information³ was made by the Council on 11 December 2024, and the Requestor's response was received on 15 May 2025. The response to the Council's request for further information can be read [here](#), which provided most of the information requested.
- 4 PPC1 was formally approved for notification by the Planning and Strategy Committee at the meeting of 23 June 2025. Public notification commenced on 15 August 2025, with the period for submissions open for 20 working days, closing on 12 September 2025. In total 21 submissions were received, and 2 of these submissions were formally withdrawn prior to the hearing. The submissions comprised a total of 51 submission points.
- 5 The summary of decisions requested was notified on 23 October 2025, for 10 working days, and one further submission was received.
- 6 Submissions ranged from being in full support of the PPC request to opposing specific parts of the proposal with no submissions being in full opposition to the request. Seven of the submissions were in opposition to the proposal while 12 were in support of the proposal.
- 7 The Council endorsed the appointment of the IHP at the Full Council meeting on 27 November 2025. Independent Commissioners Dr. Lee Beattie (Chair) and Lisa Mein were appointed to the Panel to hear, deliberate and make recommendations on submissions and further submissions on PPC1.

¹ Private Plan Change Request The Hills

² Pursuant to Section 80B of the Resource Management Act 1991.

³ Pursuant to Clause 23(1) of the First Schedule of the Resource Management Act 1991

- 8 The First Minute of the IHP was issued on 13 January 2026, which set out the procedural directions for the hearing and the scheduling of evidence exchange, expert witness conferencing, site visits and hearing dates⁴.
- 9 Expert Witness Conferencing took place prior to the hearing between experts for landscape, transport and planning issues. The issues identified between the transport and landscape experts for the Requestor and the Council were addressed through such conferencing, which led to Joint Witness Statements (JWSs) being issued addressing all of the issues related to landscape and transport. The JWSs between the Council's and Requestor's transport experts resolved an issue regarding the location of the proposed eastern entrance to the Zone from Hogans Gully Road. The JWS from the Requestor's and Council's landscape architects addressed issues raised by the Council's expert. This led to updated landscape plans being supplied by the Requestor's landscape expert prior to the hearing, resolving all landscape issues between the experts.
- 10 Expert conferencing between the planning experts resulted in agreement on all but two issues. The remaining issues were regarding a staging provision for the development of the newly proposed homesites in relation to providing visitor accommodation activities and for the location of trails within the Zone. The remaining issues were discussed at the hearing on 14 April 2026 (day 1 of the hearing).
- 11 Three submitters appeared at the hearing on 15 April 2026 and spoke to their submissions. One submitter provided pre-lodged evidence on recreation and open space planning.
- 12 The key matters raised by the submitters were:
 - a. Support for PPC1, including re-routing of the golf course
 - b. Landscape and visual effects related to the location of Activity Areas, extension to Activity Areas, the height of buildings and screening from neighbouring properties.
 - c. Alignment of, and extension and linkages to, the Wakatipu Trails Trust network
 - d. Traffic and access, in particular safety concerns with respect to Hogans Gully Road
 - e. Noise effects with respect to helicopter landings
 - f. Specific opposition to the location of AA SG in terms of visibility and potential noise effects
- 13 The following matters were addressed by the IHP in their report, and were noted in the report as being the 'areas of contention':

⁴ <https://www.qldc.govt.nz/media/jowhz2ed/minute-1-the-hills-resort-zone-13-jan-2026.pdf>

- a. Proposed Staging Rule
- b. Sports Courts and Gardens Activity Area
- c. Enlargement of Activity Area A4
- d. Activity Area A2 Viewshaft
- e. Matters Raised by Ms Webber and Mr Gibson (Submitter 20/22)

14 Following the receipt of the Requestor's closing submissions on 24 April 2026, the hearing was formally concluded by the IHP on 28 April 2026. The IHP then completed its Recommendation Report which is Attachment A to this report.

Analysis and Advice | Tatāritaka me kā Tohutohu

Summary of recommended changes to notified provisions

- 15 The IHP Report recommends that PPC1 be approved, subject to the changes to the notified proposal summarised below.
- 16 The following amendments to the notified provisions were agreed by the Requestor during evidence exchange prior to the hearing commencing, and are recommended in the IHP Report:
 - a. An amendment to Objective 47.2.1.4 to include reference to maintaining the privacy for neighbouring properties and to include reference to restricting the use of the proposed entrance on Hogans Gully Road solely for Home Sites 9-16. A new rule (Rule 47.5.23) is proposed to be included in in Table 47.5 to establish that the use eastern access road, for any activity other than access to the new home sites, is a non-complying activity.
 - b. Activity Table 47.4 is amended to include reference to planting regarding privacy, and to remove reference to permitting restaurants within Activity Area SG. References to Activity Area SG are also removed from Table 47.5 regarding retail sales and the types of buildings permitted within the Activity Area.
 - c. Several changes are recommended to Zone standards in Table 47.5 regarding proposed Home Sites 10, 12, 15 and 16. These include changes to Rule 47.5.3 to exclude home sites 10, 12, 15 and 16 from Rule 47.5.3, and the inclusion of new Rules 47.5.3A and 47.5.3B which relate to the restricted discretionary consenting pathway and non-complying building height for the home sites.

- d. Minor amendments are recommended to the notified changes to the Earthworks (Chapter 25) and the Subdivision and Development (Chapter 27) chapters. This includes references to the new homesites and to identify standards for different Activity Areas explicitly.
- 17 One additional amendment is recommended by the IHP to address matters raised by submitters during the hearing. Provision 47.1.2(q) specifies the activities provided for in the Sports Courts and Gardens Activity Area. The Panel recommends that the words “communal outdoor living and open spaces” are deleted from the notified provision to refine the activities provided for in the Activity Area⁵.
- 18 The IHP recommend that no changes are needed to be made to the provisions regarding the proposed staging rule⁶, the enlargement of Activity Area A4⁷, the Activity Area A2 viewshaft⁸ or the issues raised by submitters 20/22⁹.
- 19 Having considered all the submissions, presentations, evidence and legal submissions, the IHP found that PPC1, as amended, is well considered and any potential effects can be appropriately managed by the recommended revised provisions. The IHP recommends that, pursuant to Clause 10 of the Schedule 1 of the RMA, Council approve PPC1, subject to the modifications as set out in the Recommendation Report.
- 20 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.

Option 1: Adopt the IHP Recommendation Report recommendations on submissions as a Council Decision

Advantages:

- PPC1 has been through a thorough process under Schedule 1 (Parts 1 and 2) of the RMA. This ensured the submissions and hearing process gave people the opportunity to support or seek changes to the notified proposal and be heard in relation to their submissions. Submissions received on the notified changes were both in support and opposition to the proposed changes.
- The IHP Commissioners were formally appointed by Council to prepare the recommendation report. The Commissioners are qualified decision-makers who have read and considered the notified proposal, all submissions and further submissions

⁵ Independent Hearing Panel Recommendation Report Paras 48-57.

⁶ Independent Hearing Panel Recommendation Report Paras 41-47.

⁷ Independent Hearing Panel Recommendation Report Paras 58-62.

⁸ Independent Hearing Panel Recommendation Report Paras 63-69.

⁹ Independent Hearing Panel Recommendation Report Paras 70-73.

received, and all evidence on the PPC. The Commissioners have reached a robust and fully informed recommendation that meets the RMA statutory requirements.

- This is the most efficient option available to Council to reach a timely, robust and cost-effective decision on PPC1.
- As PPC1 is subject to the process set out in Schedule 1 of the RMA, submitters will have the opportunity to appeal the Council's decisions to the Environment Court, should they choose to.
- Private plan changes are exempt from central government's 'planstop' requirements. This PPC has well-defined scope – confined to The Hills Resort Zone – so is well-suited to the private plan change process. Council costs have been met by the Requestor, as required by the Act. This has resulted in an efficient and cost-effective process for Council.

Disadvantages:

- Some submitters may remain dissatisfied with the outcomes recommended by the IHP's recommendations regarding the points of relief raised in their individual submissions.

Option 2: Reject the IHP Recommendation Report recommendations in full or in part and appoint a new IHP to rehear submissions on the PPC.

Advantages:

- Would allow Council to appoint new Commissioners to the IHP to re-hear all or some of the submissions and evidence.

Disadvantages:

- A re-evaluation and rehearing would be necessary because changing the recommendations without undertaking a further hearing would not demonstrate procedural fairness or uphold the principles of natural justice for those who have participated in the PPC process.
- Repeating the Schedule 1 hearing process would result in increased costs and would delay the implementation of the proposed changes included within PPC1.
- A decision to accept some of the recommendations of the IHP's report while rejecting others would result in legal uncertainty and would complicate the process of including recommendations into the District Plan, as the recommended changes are interlinked with each other rather than being separate. This may lead to future litigation and may undermine confidence in the impartiality of the process.

- The IHP was formally appointed by Council due to their expertise to undertake an objective and independent assessment of the matters raised in submissions and to ensure that their recommendations are legally robust. Rejecting these recommendations in part or in full without clear and defensible justification would risk undermining public confidence in both the statutory hearing process and the integrity of the Council’s decision-making framework.
- 21 This report recommends **Option 1** for addressing the matter because it is the most cost-effective, efficient, timely and legally robust option available to the Council. Following the adoption of the report and recommendation of the IHP, the decision will be publicly notified and submitters will be notified directly, as required by the First Schedule of the RMA.
- 22 For this Private Plan Change **Option 2** (Option 2 is reject all or part of the recommendations and appoint new panel) is the do nothing ‘status quo option’. No option to withdraw the Plan Change Request is available as the request was made by THRL rather than by the Council¹⁰.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

- 23 This matter is of low-medium significance, as determined by reference to the [Council’s Significance and Engagement Policy](#) 2024 because of the lower impact regarding climate change impacts, importance to the District, the impact on the Council’s capability and Mana Whenua while having a higher impact on community interest from those in the vicinity of the Zone.
- 24 The PPC was subject to full notification and a robust hearing process. As well as undertaking a full notification process through providing notice across several newspapers, the properties surrounding the Hills Resort Zone were directly notified via mail or email of the private plan change request. Twenty-one submissions were received (with two submissions subsequently being withdrawn), and all submitters were provided the opportunity to appear at the hearing, however only 3 submitters presented their submissions at the hearing.

Māori Consultation | Iwi Rūnaka

- 25 The Requestor undertook pre-consultation with mana whenua, who also had the opportunity to make submissions and participate in the hearing. No issues were raised by mana whenua, and they did not lodge a submission on the PPC.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

¹⁰ Resource Management Act 1991 First Schedule Clauses relevant to withdrawal considered: CI28; CI29; CI8D

- 26 This matter relates to the Strategic/Political/Reputation risk category. It is associated with RISK10056 Ineffective provision for the future planning and development needs of the district within the [QLDC Risk Register](#). This risk has been assessed as having a low residual risk rating.
- 27 The approval of the recommended option will support the Council by allowing it to retain the risk at its current level. This shall be achieved by progressing the Private Plan Change in accordance with the requirements of the Resource Management Act.

Financial Implications | Kā Riteka ā-Pūtea

- 28 As required by Part 2 of Schedule 1 of the RMA, to date the costs of the Private Plan Change have been met by the Requestor. The costs would be covered by either Council or the requestor going forward depending on the Option taken.
- 29 Once Council decisions are made on a private plan change, any further costs associated with the plan change, including Council's costs associated with any appeals are not met by the Requestor.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

- 30 The following Council policies, strategies and bylaws were considered:
- Proposed District Plan
 - Blue/Green network
- 31 The recommended option is consistent with the principles set out in the named policy/policies.
- 32 This matter is included in the Long Term Plan/Annual Plan as part of ongoing implementation and maintenance of the District Plan.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

- 33 No specific legal advice has been sought, aside from the legal submissions on the PPC provided by parties participating in the hearing.
- 34 The adoption of the report and recommendations from the IHP will be in accordance with the First Schedule of the RMA. The Council decision will then be notified and there will be opportunity for appeals to the Environment Court.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

- 35 Section 10 of the Local Government Act 2002 (LGA) states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b)

to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. Option 1 will allow for relevant parties to lodge appeals to address any concerns regarding the recommendations included in the IHP's report.

36 The recommended option:

- Can be implemented through current funding under the Long Term Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

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| A | PPC1 Independent Hearing Panel Recommendation Report and recommended revised provisions. |
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