

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

IN THE MATTER of the Resource Management Act 1991

AND of appeals under clause 14 of the First
Schedule of the Act

BETWEEN CARDRONA ALPINE RESORT
LIMITED

(ENV-2018-CHC-117)

... (continued on separate page)

Appellants

AND QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

MINUTE

**Topics 1, 2 and 17 (RSI) and Topics 18, 19 and 20
(1 June 2021)**

Introduction

[1] For each of the above-noted Topics, following mediations, parties have reached agreements seeking the resolution of appeals by consent order. As these Topics are closely related to Topic 2 ‘Landscape and Rural Character’, it has been necessary to keep matters on hold pending the issuance of all relevant Topic 2



decisions.¹ That has now changed given the recent issuance of Decision 2.7 (on Chs 3 and 6).²

[2] In response to Decision 2.7, the court has received a memorandum of counsel for QLDC, dated 28 May 2021. This expresses QLDC’s support for bringing Topics 2 and 18 together (a matter signalled in Decision 2.7). It goes further in suggesting that it would be efficient for the court and parties to consider Ch 21 as a whole “in light of any specific concerns or guidance that the court is able to outline with the draft Chapter 21 consent order provisions”. We make the general observation that QLDC has helpfully anticipated what the court has been considering; as we now discuss.

[3] From the court’s review of each of the proposed consent orders, issues arise as to the need to ensure that the overall planning outcome for the PDP³ is sound. In particular, what parties to these settlements seek would appear not well aligned in some key respects to now-determined Ch 3 and 6 objectives and policies.

[4] There are some overlaps in what parties seek by way of consent order outcomes. For example, Topic 18 – Rural Zone documentation seeks amendments to Chs 1, 21 and 30, Topic 19 – Ski Area Sub-Zone documentation seeks amendments to Chs 2, 21, 27 and 33 and Topic 20 – Rural Residential and Rural Lifestyle documentation seeks amendments to Chs 22 and 27. More broadly, the regionally significant infrastructure Topics 1, 2 and 17 have application to a number of provisions of different chapters. These were most recently the subject of consideration by amicus and a court-appointed planning expert and the subject of a judicial teleconference (‘JTC’) on 19 November 2020.

¹ Decision 2.1 [2019] NZEnvC 160; Decision 2.2 [2019] NZEnvC 205; Decision 2.3 [2019] NZEnvC 206; Decision 2.4 [2020] NZEnvC 157; Decision 2.5 [2020] NZEnvC 158; Decision 2.6 [2020] NZEnvC 159; Decision 2.7 [2021] NZEnvC 60; Decision 2.8 [2021] NZEnvC 61.

Decision 2.7 [2021] NZEnvC 60.

‘PDP’ refers to the District Plan under review.



[5] The court is mindful that QLDC is party to each of the consent order settlements. While the court does not consider that is necessarily problematic, consideration would be given to the appointment of a special adviser on plan drafting if need be.

Intended sequence for progressing to determinations or orders

[6] Therefore, the court considers that it should now address each of these Topics together insofar as practicable. This is in anticipation that determinations, rather than consent orders, are likely to be required in order to maintain Plan integrity and coherence. Subject to that over-riding imperative, however, the court will seek to respect and uphold what parties have agreed as far as practicable. The court will also seek to assist parties to continue to work together to achieve sound planning outcomes.

[7] It will be important that QLDC, as the responsible planning authority, takes a lead coordinating and case management role.

[8] At this stage, subject to hearing from QLDC and parties, we have in mind the following sequence towards final determinations:

Step 1: QLDC confers with parties and files an initial reporting memorandum proposing a date by which it will file a case management memorandum as per Step 2 (and indicating any views on whether a special planning adviser should be appointed);

Step 2: QLDC files a case management memorandum including:

- a comprehensive set of updated proposed provisions for all Topics responding to the court’s Topic 2 decision(s) and identifying any issues of difference with parties;
- related proposed case management directions including for any further mediation(s), expert conferencing and ‘workshopping’ hearing(s);



- Step 3:** parties who wish to would respond, identifying by tracking any differences with drafting refinements QLDC proposes;
- Step 4:** the court would issue directions, either by Minute or following a judicial teleconference;
- Step 5:** mediations, expert conferencing, workshopping hearing(s) would be undertaken if required and determinations would follow.

[9] This Minute makes directions for Step 1 only.

What is meant by ‘workshopping hearings’?

[10] Our concept of ‘workshopping hearings’ recognises that substantive issues between parties are resolved and any remaining matters concern technical drafting refinement to achieve plan consistency and coherence. Hence, usual formalities would be dispensed with in favour of enabling parties and their planning experts to workshop together with the court. An opportunity would be provided to allow QLDC and parties to discuss such arrangement in a judicial teleconference before they are finalised.

Topics 1, 2 and 17 – regionally significant infrastructure

[11] The court recognises that the regionally significant infrastructure sub-topic (Topics 1, 2 and 17) concerns bespoke provisions and a discrete set of parties. As such, if it remains the desire of QLDC and those parties to be treated somewhat separately in procedural terms, the court remains open to that. Nevertheless, parties are encouraged to consider the overall advantages of determining these matters together with related Topics.



Preliminary observations on consent order requests

[12] The important relationship of Chs 3 and 6 to Ch 21 was noted in both Decision 2.2 (at [523]) and Decision 2.7 (at [229]-[235]).⁴ As discussed in Decision 2.7, a joint witness statement of planning witnesses in Topic 2 (dated 30 October 2020) makes recommendations on Ch 21 drafting (subject to acknowledging the interests of other parties). However, the issues are broader and the Ch 21 Assessment Matters (21.21) on landscape have not been reviewed against those or other Topic 2 decisions.

[13] There are a number of consent order changes sought to Ch 21 and the court has an overriding need to be satisfied that what is sought properly aligns with the now-determined Ch 3 and 6 provisions.

Provisions pertaining to prospecting and mining

[14] Parties to this Topic⁵ seek changes to certain provisions, including Obj 21.2.5,⁶ various policies, activity classes and related standards. In regard to Chs 3 and 6 and landscape related matters, these include:

(a) the following proposed change to Obj 21.2.5:⁷

Objective 21.2.5 – Prospecting, exploration and mineral extraction

⁴ We note that there is still one substantive amendment to Ch 6 Pol 6.3.3.3 the subject of a s293 process.

⁵ Topic 18 sub-topic 4 Minerals *New Zealand Tungsten Mining* (ENV-2018-CHC-151); joint memorandum 19 December 2019.

⁶ This amendment was first indicated in the 19 December 2019 joint memorandum but was subject to further consideration of the appropriate qualifying term. It was not included in the draft consent order because of the potential for the Topic 2 decision to provide additional guidance. Presumably there is a confirming memorandum given it is included in the rolled-up Rural Zone provisions in consent documentation dated 12 June 2020.

⁷ This amendment was first indicated in the 19 December 2019 joint memorandum but was subject to further consideration of the appropriate qualifying term. It was not included in the draft consent order because of the potential for the Topic 2 decision to provide additional guidance. Presumably there is a confirming memorandum given it is included in the rolled-up Rural Zone provisions in consent documentation dated 12 June 2020.



opportunities are provided for on the basis the location, scale and effects ~~would not degrade~~ protect, maintain or restore rural amenity, water, wetlands, landscape and indigenous biodiversity values.

- (b) deletions or replacements of or amendments to some policies that may have a bearing on how Chs 3 and 6 would apply in regard to landscape matters;
- (c) deletions from Table 8 rr 21.11.1.1 and 21.11.1.2 of standards as to not undertaking activities on an ONF or the bed of a lake or river; and
- (d) changes to activity classifications including change to the text of permitted activity r 21.4.29 and a re-classification to discretionary activity of mineral exploration or mining that is not a permitted or controlled activity.

Provisions pertaining to the surface and margins of water bodies

[15] Parties⁸ seek an amendment to Obj 21.2.12 which specifically refers to the natural character of lakes and rivers and their margins:⁹

21.2.12 Objective – The natural character of lakes and rivers and their margins is protected, ~~maintained~~ or enhanced, while also providing for appropriate activities ~~on the surface of lakes and rivers~~, including recreation, commercial recreation and public transport.

[16] Parties also seek to amend Ch 21 Rural Zone Pols 21.2.12.2 and 21.2.12. as follows:

⁸ Topic 18 sub-topic 5 Rivers and Lakes *Kawaran Jet Services Holdings Limited & Ors* (ENV-2018-CHC-82); joint memorandum 20 December 2019.

⁹ This amendment was first indicated in the 20 December 2019 joint memorandum but was subject to further consideration of the appropriate qualifying term. It was not included in the draft consent order because of the potential for the Topic 2 decision to provide additional guidance. Presumably there is a confirming memorandum given it is included in the rolled-up Rural Zone provisions in consent documentation dated 12 June 2020.



21.2.12.2 Enable people to have access to a wide range of recreational experiences on the lakes and rivers, and their margins, while having regard to environmental and safety constraints based on the identified characteristics and environmental limits of the various parts of each lake and river.

...

21.2.12.8 Encourage development and use of water based public ferry systems services, and provide for water-based transport, including necessary infrastructure and marinas, in a way that:

- a. avoids adverse effects on the environment as far as possible practicable, or
- b. ~~where avoidance is not practicable~~ otherwise, remedies and mitigates such adverse effects.

Topic 18 parties

[17] The Topic 18 parties also seek consent order changes to some of the Ch 21 Rural Zone rules specifying matters for restricted discretion in regard to Rural landscapes.

Discussion of those matters

[18] In regard to changes sought to Ch 21 provisions regarding the surface and margins of lakes, rivers and waterbodies, we note that there are no explicit related Ch 21 policies on landscape. Pol 21.2.12.7 arguably extends that far in that it refers to ‘visual qualities’ as a matter for consideration in regard to effects of the location, design and use of structures and facilities. Further, restricted discretionary activity r 21.15.6 for jetties and moorings in the area to the east of the ONL line shown on the DP maps Frankton Arm refers to compatibility with ‘landscape’ and ‘amenity’ values (in cl (f) of the rule).



[19] That approach in Ch 21 contrasts with Chs 3 and 6. For example, Pol 6.3.30, included in Ch 6 by consent order¹⁰ is:

6.3.30 Manage the location, intensity and scale of structures on the surface and margins of water bodies including jetties, wharves, moorings and infrastructure recognising the functional needs of these activities, and the importance of lakes and rivers, including as a commercial recreation, tourism, transport and recreational resource, and ensure these structures are at a scale or in a location that, as far as practicable:

- a. protects the values of Outstanding Natural Features and Outstanding Natural Landscapes; and
- b. maintains the landscape character of Rural Character Landscapes and maintains or enhances their visual amenity values.

(3.2.1.1, 3.2.4.1, 3.2.4.3, 3.2.5.1, 3.2.5.2, 3.3.19, 3.3.21, 3.3.26, 3.3.30, 3.3.32).

[20] In addition, Pol 6.3.31 uses the broad term “character”, i.e:

Recognise the character of the Frankton Arm including the established jetties and wharves, and provide for their maintenance, upgrade or expansion (3.2.4.3, 3.2.5.1, 3.3.30).

[21] The court needs to be satisfied as to the justifications for the changes sought. There is a further overall need to be satisfied that Ch 21 properly aligns with and duly serves Chs 3 and 6. That necessitates consideration of Ch 21 as a whole, rather than simply those provisions that parties have focussed on. The court is mindful that, insofar as scope may be a constraint to achieving an effective overall outcome, s293 directions may be required.



Consent order re Topic 2 sub-topic 9, dated 11 September 2020.

Proposed Topic 19 and Topic 20 consent orders and the Exception Zone Framework

Exception Zone Framework

[22] Decision 2.6, issued on 21 September 2020, confirmed the wording of the following ‘Exception Zone Framework’ (‘EZF’) provisions (our emphasis):

3.1B Interpretation and Application of this Chapter

...

3.1B.5 In 3.1B6 and SO 3.2.5.1A, ‘Exception Zone’ means any of the following, to the extent that the Zone (or Sub-Zone) is depicted on the planning maps:

- a. The Ski Area Sub-zone;
- b. The Rural Residential Zone and Rural Lifestyle Zone (Chapter 22);
- c. The Gibbston Character Zone (Chapter 23);
- d. Jacks Point Special Zone (Chapter 41).

3.1B.6 The following Strategic Objectives and Strategic Policies (or specified parts thereof) do not apply to the consideration or determination of any applications for any subdivision, use or development within any of the Exception Zones **except insofar as the receiving environment includes an Outstanding Natural Landscape or Outstanding Natural Feature (or part thereof) that is outside the Exception Zone:**

- a. SO 3.2.1.7.a, SO 3.2.1.8.a, SO 3.2.5.x, SO 3.2.5.xx; and
- b. SP 3.3.1A.a, SP 3.3.20.a, SP 3.3.24.a, SP 3.3.29.x, SP 3.3.30, SP 3.3.30x.

For avoidance of doubt, the above identified Strategic Objectives and Strategic Policies apply to plan development, including plan changes.



[23] It is important to carefully consider whether the changes requested by consent orders for Topic 19 (Ski Area Sub-Zone) and Topic 20 (Rural Residential Rural Lifestyle) properly align with those SPs. In each case, the consent order documentation was filed prior to the issuance of Decision 2.6.¹¹

Ski Area Sub-Zone – Topic 19

[24] The Ski Area Sub-Zone is within the Rural Zone. Although Topic 19 is entitled ‘Ski Area Sub-Zone’, it also deals with some Ski Area Activities in the Rural Zone that take place outside the Sub-Zone itself.

[25] The DV of Ch 21 includes the following related objective:

21.2.6 Objective The future growth, development and consolidation of Ski Area Activities within identified Ski Area Sub-Zones, is provided for, while adverse effects on the environment are avoided, remedied or mitigated.

[26] It specifies five implementing policies (21.2.6.1-21.2.6.5), two of which have a broader reach than inside the Sub-Zone:

21.2.6.2 Control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities; and

21.2.6.4 Provide for appropriate alternative (non-road) means of transport to and within Ski Area Sub-Zones, by way of passenger lift systems.

[27] The joint memorandum¹² seeks a set of amendments in essence to provide more certainty and enablement for Ski Area Activities including those that may take place outside the Ski Area Sub-Zone.



¹¹ Except for Topic 19 sub-topic 2 the joint memorandum for which is dated 16 December 2020.

¹² Joint memorandum of parties in support of consent order – Topic 19 sub-topics 1 and 3, dated 9 June 2020.

[28] The parties propose a definition of ‘Terminal Buildings and Stations’:

Means buildings required for the operation of Passenger Lift Systems. Terminal buildings and stations may contain Passenger Lift System infrastructure, ticketing facilities and toilets, as well as food and beverage and retail activities that are ancillary to Ski Area Activities.

[29] They further propose a consequential amendment to the definition of ‘Passenger Lift Systems’:

Means any mechanical system used to convey or transport passengers and other goods within or to a Ski Area Sub-Zone, including chairlifts, gondolas, T-bars and rope tows, and including all moving fixed and ancillary components of such systems such as towers, pylons, cross arms, pulleys, cables, chairs, cabins and structures to enable the embarking and disembarking of passengers. Excludes Terminal buildings and stations for Passenger Lift Systems. base and terminal buildings.

[30] The requested changes include the following amendment to Pol 21.2.6.4:

21.2.6.4 Provide for appropriate alternative (non-road) means of transport to and within Ski Area Sub-Zones, by way of passenger lift systems, terminal buildings and stations for passenger lift systems, and ancillary structures and facilities, while recognising that such activities may be visible from beyond the boundary of the site in question.

[31] The parties also seek restricted discretionary activity status (rather than non-complying) for terminal buildings and stations for Passenger Lift Systems (new r 21.4.A and 21.4.25d) and access roads not located within a Ski Area Sub-Zone (new r 21.4.B and 21.4.25c). Further, as part of that restricted discretionary activity status, the parties seek an exemption from the maximum height of 8m for Passenger Lift Systems and Terminal buildings and stations for Passenger Lift Systems in the Rural Zone (r 21.7.4).



[32] The parties explain their rationale:¹³

... the amendments proposed to Policy 21.2.6.4 seek to reconcile a degree of policy tension with Policy 6.3.3.1(b). Policy 6.3.3.1(b) creates a presumption of inappropriateness where activities in the Rural Zone ONL cannot satisfy limb (b) (ie. the reasonably difficult to see test). Given the functional requirements of passenger lift systems (and associated terminal buildings and stations), a degree of visibility from beyond the boundary of the site may be unavoidable. Without any reconciliation between these policies, there is the potential for conflict between Chapter 6 and certain provisions in Chapter 21. Chapter 21 contains a suite of provisions that apply to the Ski Area Sub Zones and Ski Area Activities. Relevantly, those provisions seek to ‘provide for’ appropriate non-road means of transport (including passenger lift systems) ... by way of restricted discretionary activity status. The parties are satisfied that this activity status remains appropriate, but an amended parent policy (21.2.6.4) that recognises the potential for wider visibility for certain activities is required to ensure consistency in approach.

Discussion of those matters

[33] The court needs to be satisfied that such amendments properly align with Chs 3 and 6.

[34] We are mindful that the proposed restricted discretionary activities could be undertaken within or impact upon ONF/Ls. As a general observation, the language used in the matters for discretion does not appear to align, in reach and expression, with our Topic 2 decisions and related Ch 3 and 6 provisions.

[35] The court is giving consideration to the most appropriate sequence for determining the 21.21 Assessment Matters (Landscape) vis-à-vis these matters.



¹³ Joint memorandum of parties in support of draft consent order – Topic 19, sub-topics 1 and 3 only, dated 9 June 2020 at [8.4].

Rural Residential and Rural Lifestyle – Topic 20

[36] Like the Ski Area Sub-Zone, Rural Residential and Rural Lifestyle Zones are ‘Exception Zones’. The parties seek several changes to Ch 22.

[37] These include the following change to Obj 22.2.1:

The District’s landscape quality, character and amenity values are maintained ~~and~~ or enhanced while enabling rural living opportunities in areas that can absorb development.

[38] The parties consider this amendment is appropriate:¹⁴

... to recognise that the concepts of ‘maintenance’ and ‘enhancement’ should be expressed as alternatives to better align with the Topic 2 decisions, specifically:

- (a) Strategic Objective 3.2.1.8 which enables diversification (of which rural living may be an example) subject to certain related qualifiers that are expressed using this formulation; and
- (b) Strategic Objective 3.2.5.2 for Rural Character Landscapes (RCL) requires that visual amenity values are ‘maintained or enhanced’.

[39] The parties acknowledge that no Topic 20 appellant specifically sought changes to Obj 22.2.1. They maintain that jurisdiction is provided by the direct relationship Obj 22.2.1 has with other appeal topics. They refer to the Darby Planning Limited appeal against SO 3.2.5.2 as indirectly supporting the use of ‘maintain or enhance’ qualifier and also as seeking any alternative or consequential relief that would give effect to its appeal.¹⁵

¹⁴ Joint memorandum of parties in support of draft consent order ‘Topic 20: Rural Residential/Rural Lifestyle’ dated 8 May 2020 at [23].

¹⁵ Joint memorandum of parties in support of draft consent order ‘Topic 20: Rural Residential/Rural Lifestyle’, dated 8 May 2020 at [24].



[40] The parties seek the following change to Pol 22.2.1.4:

Manage anticipated activities that are located ~~near~~ in proximity to Outstanding Natural Features and Outstanding Natural Landscapes so they do not diminish their visual amenity values ~~qualities of these landscapes and their importance as part of the District's landscapes.~~

[41] The parties argue that the change from 'near' to 'in proximity to' is consistent with the drafting of SO 3.2.5.iv and Pol 6.3.2.7.

[42] SO 3.2.5.iv reads (our emphasis):

In Rural Character Landscapes, new subdivision, use and development **in proximity** to any Outstanding Natural Feature or Outstanding Natural Landscape does not compromise the landscape values of that Feature or Landscape.

[43] Pol 6.3.2.7 reads (our emphasis):

Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes **in proximity** to an Outstanding Natural Feature or Outstanding Natural Landscape does not compromise the landscape values of that Outstanding Natural Feature or Outstanding Natural Landscape.

[44] Perhaps of more significance, the parties' proposed Pol 22.2.1.4 would replace a direction to not diminish 'the qualities of these landscapes and their importance as part of the District's landscapes' with a direction to not diminish their 'visual amenity values'.

[45] The parties argue that this substantive change to Pol 22.2.1.4 is appropriate in view of the position that Pol 6.3.2.7 would also apply.¹⁶ In their view:¹⁷

¹⁶ Joint memorandum of parties in support of draft consent order Topic 20: Rural Residential/Rural Lifestyle dated 8 May 2020 at [28](b) and (c).

¹⁷ Joint memorandum of parties in support of draft consent order Topic 20: Rural Residential/Rural Lifestyle dated 8 May 2020 at [28].



... Policy 22.2.1.4 is to be applied in this more specific context, in light of a zoning framework that provides for rural living activities.

Although rural living within the Chapter 22 zones is contemplated, the Parties agree that development should not be unfettered. Policy 22.1.4 recognises this, by requiring that development is located, designed or mitigated to be sympathetic as practicable. ... [I]he appropriate test to achieve this outcome [is] for activities to not diminish the 'visual amenity values' of ONF/L.

[46] The parties seek changes to rr 27.5.8(a) and 27.9.3.2(a):

(a) r 27.5.8(a) would read:

All subdivision activities, unless otherwise provided for, in the District's Rural Residential and Rural Lifestyle Zones

Discretion is restricted to:

- a. in the Rural Lifestyle Zone, the location and size of any building platforms ~~and in respect of any buildings within those building platforms:~~
 - ~~i. external appearance;~~
 - i. visibility from public places; and
 - ii. landscape character as anticipated by the zone; ~~and~~
 - ~~iii. visual amenity.~~

(b) r 27.9.3.2(a) (a restricted discretionary matter rule) would read:

~~the extent to which the design maintains and enhances rural living character, landscape values and visual amenity.~~

The extent to which subdivision design (including the location of building platforms) manages effects on visibility from public places and effects on landscape character, as anticipated by the Zone.



[47] The parties consider these changes are appropriate to clarify that “the impact of subdivision within the [two] Zones on the District’s Landscapes is to be considered”.¹⁸ They see these changes as consistent with the Topic 2 decisions, in particular the definition of Rural Living at 3.1B.7 and SOs 3.2.5.1A (Exception Zones) and 3.2.5.2 (RCLs). As for the proposed revision to the restricted discretionary matter r 27.9.3.2(a), the parties argue:¹⁹

As a degree of rural living development is contemplated within [both zones], the assessment matter should be focused on the effects resulting from subdivision on the surrounding landscapes. The parties agree that these effects should be considered from public places, and in light of the development anticipated by the relevant zones.

Discussion of those matters

[48] The overarching issue for the court is whether these requested changes properly align with Chs 3 and 6 including the Exception Zone Framework.

[49] The court observes that the fact that Pol 22.2.1.4 applies only to ‘anticipated activities’ would appear consistent with the Exception Zone Framework. That is in the sense that it would leave all other activities subject to the ONF/L objectives and policies in Ch 3 (potentially including Pol 6.3.2.7).

[50] The court has some questions about the proposed revision to r 27.5.8(a):

- (a) how clear and certain is ‘landscape character’ with the qualification of ‘as anticipated by the zone’ as a matter of discretion?
- (b) how will that achieve the objectives and policies of the zones?
- (c) why has visual amenity been deleted?

¹⁸ Joint memorandum of parties in support of draft consent order topic 20: Rural Residential/Rural Lifestyle dated 8 May 2020 at [29].
¹⁹ Joint memorandum of parties in support of draft consent order topic 20: Rural Residential/Rural Lifestyle dated 8 May 2020 at [31].



- (d) would Pol 6.3.2.7 that applies to these two zones still apply (given the specificity of Policy 22.2.1.4) and the limited nature of the restricted discretionary matters?
- (e) what is the reason for removing ‘any buildings within those building platforms’? Could there be an argument that this narrows the consideration of what might be able to be built on the building platforms?
- (f) what is the justification for and potential consequences of removing ‘external appearance’?

[51] As a general observation, the proposed revision to restricted discretionary matter r 27.9.3.2(a) is confusing in that the words after the comma ‘anticipated by the Zone’ qualifies ‘landscape character’ and not ‘visibility from public places’. More substantively, the court is concerned about the potential significant implications of adding the qualification ‘as anticipated by the zone’ as a matter restricting discretion to consider ‘landscape character’. For example, it would appear to potentially exclude consideration of the receiving environment even where this includes an ONF/L. Nor is it clear whether policies under 6.3.2 for managing activities (including in the Rural Residential and the Rural Lifestyle Zones) would remain relevant.

Directions

[52] It is directed:

- (a) QLDC is to confer with parties and **within 15 working days** of the date of this Minute file an initial reporting memorandum proposing a date by which it will file a case management memorandum as per Step 2 at [8] (and indicating any views on whether a special planning adviser should be appointed); and



- (b) other parties who wish to reply to that memorandum (or any aspect of QLDC's 20 May 2021 memorandum) must do so **within a further five working days**.

[53] Further directions will follow by Minute or subsequent to a judicial teleconference. Leave is reserved for any party to apply for further (or other) directions.



J J M Hassan
Environment Judge



Issued: 1 June 2021

List of Appellants

ENV-2018-CHC-150	Darby Planning Limited
ENV-2018-CHC-053	Federated Farmers of New Zealand
ENV-2018-CHC-083	Mt Cardrona Station Limited
ENV-2018-CHC-151	New Zealand Tungsten Mining Limited
ENV-2018-CHC-093	Queenstown Airport Corporation Limited
ENV-2018-CHC-127	Queenstown Park Limited
ENV-2018-CHC-142	Queenstown Wharves GP Limited
ENV-2018-CHC-131	Real Journeys Limited
ENV-2018-CHC-146	Real Journeys Limited (trading as Canyon Food and Brew Company Limited)
ENV-2018-CHC-138	Real Journeys Limited (trading as Go Orange Limited)
ENV-2018-CHC-133	Royal Forest and Bird Protection Society of New Zealand Incorporated
ENV-2018-CHC-130	SYZ Investments Limited
ENV-2018-CHC-114	Transpower New Zealand Limited
ENV-2018-CHC-056	Upper Clutha Environmental Society Incorporated
ENV-2018-CHC-115	Willowridge Developments Limited
ENV-2018-CHC-082	Kawarau Jet Services Holdings Limited
ENV-2018-CHC-120	Anderson Branch Creek Limited
ENV-2018-CHC-104	Soho Ski Area and Blackmans Creek No. 1
ENV-2018-CHC-107	Treble Cone Investment Limited
ENV-2018-CHC-103	Mount Christina Limited
ENV-2018-CHC-124	Waterfall Park Developments Limited
ENV-2018-CHC-065	Clark Fortune McDonald & Associates
ENV-2018-CHC-101	Universal Developments Limited
ENV-2018-CHC-079	Otago Regional Council
ENV-2018-CHC-084	FII Holdings Limited