



Recommendation following the hearing of Private Plan Change 1 – The Hills Resort Zone by The Hills Resort Limited to the Queenstown Lakes District Plan under the Resource Management Act 1991

Proposal

The Hills Resort Limited (the **applicant** or **THRL**) requested a change to the Queenstown Lakes District Council’s (**QLDC**) Proposed Queenstown Lakes District Plan (**PDP**), to change The Hills Resort Zone (**THRZ**) Structure Plan by amending the location and extent of existing Activity Areas, establishing eleven additional Home Sites in the south of THRZ and providing for three new Activity Areas associated with the resort, and consequential amendments to the provisions of the zone arising from these changes.

Private Plan Change 1 is recommended to be **APPROVED** with modifications to that publicly notified. The reasons are set out within this decision.

Private Plan Change:	Private Plan Change 1 – The Hills Resort Zone
Applicant:	The Hills Resort Limited (THRL)
Hearing commenced:	Tuesday 14 April 2026
Hearing panel:	Dr Lee Beattie (chair) and Lisa Mein
Appearances:	<p><u>For the Applicant</u></p> <p>Ms Rebecca Wolt, Legal Counsel Ms Emma Hill, for THRL Mr Brett Thomson, Landscape Architecture/ Masterplanning Ms Yvonne Pflüger, Landscape and Visual Effects Mr Chris Day, Noise and Vibration Mr Jeff Brown, Planning</p> <p><u>For the Council</u></p> <p>Mr Thad Ryan, Legal Counsel Ms Bridget Gilbert, Landscape and Visual Effects Mr Craig Barr, Planning</p>

	<p><u>For the submitters</u></p> <p>Mr Graeme Todd and Dr Shayne Galloway on behalf of Jane Ellen Todd and Trustees of Graeme Todd Family Trust (Submitter 2)</p> <p>Mrs Sandra and Mr George Page (Submitter 18)</p> <p>Ms Iris Weber and Mr Dave Gibson (Submitter 20/22)</p> <p><u>Council's Hearings Advisors</u></p> <p>Lynley Scott</p> <p>Patricia Pontes-Monteiro</p>
Commissioners' site visit:	Monday 13 April 2026 and afternoon of Tuesday 14 April 2026
Hearing adjourned:	Wednesday 15 April 2026
Hearing closed:	28 April 2026

Introduction

1. This recommendation is made on behalf of Queenstown Lakes District Council (**the Council** or **QLDC**) by Independent Hearing Commissioners Dr Lee Beattie (Chair) and Lisa Mein, appointed and acting under delegated authority pursuant to sections 34 and 34A of the Resource Management Act 1991 (**the RMA**).
2. The Commissioners have been delegated the authority by the Council to make a recommendation on Private Plan Change 1 (**PPC1**) to the Council after considering the request (including the section 32 and section 32AA evaluations), all the submissions, the section 42A report/evidence prepared by the officers for the hearing, legal submissions and the evidence presented prior to and during the hearing of submissions, including joint witness statements (**JWS**), responses to our questions and the Applicant's closing legal submissions and reply evidence.
3. PPC1 is a private plan change, accepted by the Council on 23 June 2025, and has been prepared following the standard RMA Schedule 1 process (that is, the plan change is not the result of an alternative, 'streamlined' or 'collaborative' process as enabled under the RMA).
4. PPC1 was publicly notified on 15 August 2025. The submission period closed 12 September 2025. A summary of submissions was notified for further submissions on 23 October 2025 and the further submission period closed on 7 November 2025. A total of twenty-one primary submissions were lodged, one of which, by Lachlan and Maggie Drummond was withdrawn prior to the Council finalising and notifying its summary of submissions. Accordingly, we have not addressed this submission.
5. One further submission was made by Iris Weber and Dave Gibson in support of the submission by James and Janine Draper. On 15 January 2026, Jeff Brown (on behalf of THRL) wrote to the Council to explain THRL had reached an agreement with the Drapers to include provisions in PPC1 to address the Drapers' submission, and that the Drapers had agreed to withdraw their submission on that basis. The Drapers formally withdrew their submission on 26 March 2026. We have addressed that submission only with respect to the changes proposed that led to the submission being withdrawn.
6. By the time of the hearing, many of the areas in contention were resolved between the parties (particularly the Applicant and Council), with the exception of some discrete points of disagreement, which we have considered below. In saying this, we would like to say that at the higher level we found, based on the evidence before us, that we recommend that PPC1 be approved subject to some minor amendments as discussed within this decision.
7. Consequently, and in the interests of efficiency we have focused our decision on those areas that remain in contention.

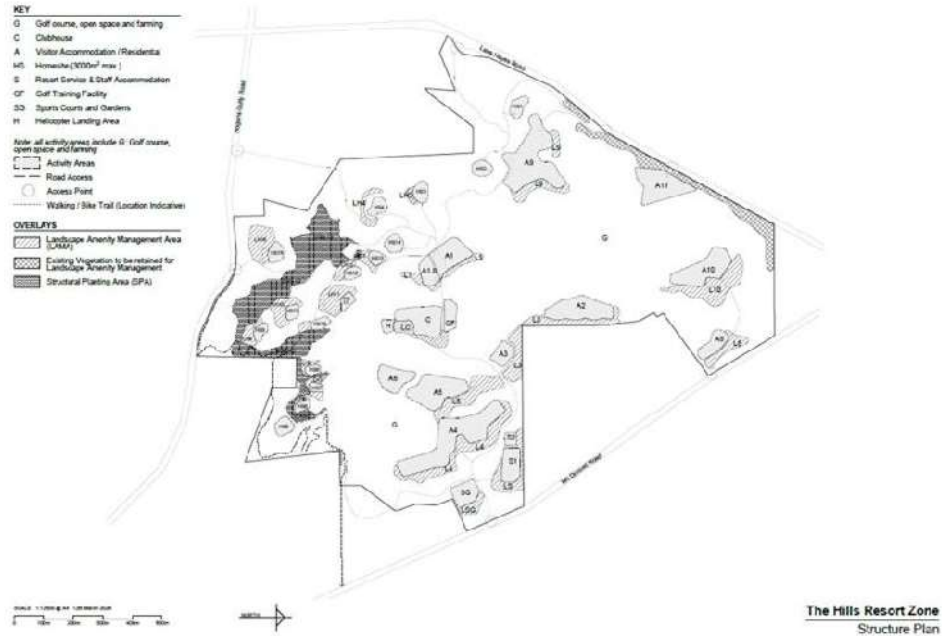
PPC1 Accepted by the Council, Notification and Submissions received.

8. PPC1 was lodged on 14 Nov 2024, with Council issuing a Request for Further information dated 11 Dec 2024. PPC1 was publicly notified on the 15 August 2025. The submission period closed on 12 Sept 2025. A total of 21 submissions were received; one was withdrawn prior to the Council finalising and notifying its summary of submissions. Of the remaining 20 submissions, there were 8 submissions in opposition, 12 submissions that supported the plan change. One submission, by James and Janene Draper, was withdrawn before the hearing.
9. All submissions were summarised and publicly notified for further submissions on 23 October 2025. The period for further submissions closed on 7 Nov 2025. One further submission was received by Iris Weber and Dave Gibson, all of which have been set out in Mr Barr's s.42A report.

Summary of Plan Change

10. The Hills Golf Course, on the southwestern side of Arrowtown, was progressively developed through resource consents in the early 2000s, between 2000 and 2007. At present the Hills Golf Course comprises an 18-hole course, a 9-hole course, clubhouse and carpark within Activity Area C, service buildings (within current Activity Area S1). Residential activity at present is limited to three existing dwellings within Home Sites 1, 2 and 4.
11. The PDP was notified in August 2015 and THRL made a submission requesting a special resort zone. While the submission for a resort zone by THRL was not initially approved by the Council, an appeal to the Environment Court was resolved by Consent Order in September 2021, and THRZ was added to the PDP. The THRZ provides for visitor activities and resort facilities including the golf course and associated infrastructure, and a maximum number of Visitor Accommodation and Residential Units (excluding staff accommodation) of 150 units, of which the maximum number of Residential Units is 66.
12. Development is directed to locate within identified Activity Areas on the THRZ Structure Plan, which were evaluated as part of the formation of the zone, for the ability of these locations to accommodate development, alongside the Landscape Amenity Management Areas (**LAMA**) planting while maintaining or enhancing landscape character.
13. THRL has stated that the Proposed Plan Change is driven by the golf course redesign, specifically that detailed planning work has been undertaken to position the 18-hole golf course as the premier course in the South Island. This detailed planning work has determined that the re-routing of the 18-hole golf course is required to achieve the premier status. While the re-routing itself is a permitted activity, it necessitates reconfiguration or relocation of some of the Activity Areas within the THRZ Structure Plan. Coupled with this, THRL consider the 9-hole Farm course to not be economically viable and therefore are seeking alternative options for that land.

14. The proposal is to change THRZ Structure Plan by amending the location and extent of existing Activity Areas, establishing eleven additional Home Sites in the south of THRZ, in the location of the existing Farm course, and providing for three new Activity Areas associated with the resort for golf training, sports and recreation for visitors and residents and a new specified location for helicopter take-off and landings, and consequential amendments to the provisions of the zone arising from these changes. While additional Homes Sites are identified, no amendment is sought to Rule 47.5.16 limited the maximum number of Residential Units to 66.
15. A summary of the main changes sought by THRL are set out within paragraph 5.14 of the section 42A report. For ease of reference, they are included below:
 - (a) Relocating residential activity to create several new Home Sites to a southern part of the Structure Plan / THRZ (in the Speargrass Valley landscape catchment) with the accompaniment of the new Structure Planting Areas (**SPAs**).
 - (b) A new Sports Courts and Gardens Activity Area (AA SG) located in the northeast in proximity to McDonnell Road.
 - (c) A new Golf Facilities Activity Area (AA GF) located east of the Clubhouse Activity Area, and the Removal of the Driving Range and Deletion of Activity Area A7 (AA A7)
 - (d) A new Helicopter Activity Area (AA H) for helicopter arrivals and departures, located adjacent to the existing Clubhouse (AA C)
 - (e) Amendments to the spatial extent of existing Activity Areas A1, A2, A4, A5, A6, A10 and A11.
16. More specific details of the changes proposed to the PDP by PPC1 are set out in the Application and the Section 42A report. We adopt all that information as part of this report. However, we have included the amended master plan highlighting the proposed changes from Mr Brett Thompson's evidence below.



17. A section 32 evaluation was prepared by Brown and Company and included within the material accompanying the request for PPC1. While Mr Barr generally agreed with the section 32 evaluation, he considered the section 32 report required a more in-depth explanation of the PDP framework to be necessary to understand the intentions of the PDP as it relates to THRZ. In particular, he cites the PDP Chapter 3 Strategic Directions, and specific Strategic Issues and other provisions in sections 7.8 – 7.20 of his section 42A report.

18. As we will discuss below, Mr Barr’s concerns were addressed through the hearing process and the evidence we received, to a point where we found that we could recommend the approval of PPC1.

Overview of Issues Raised by Submitters

19. The key matters raised by the submissions included:

- (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

20. We address the submitters' concerns in more detail below.

Hearing and Hearing Process

- 21. The hearing commenced on 14 April 2026. In the afternoon, having heard from the Applicant and the Council, the Hearing Panel attended a site visit of THRL property, the subject of PPC1, having previously undertaken a wider site visit from surrounding properties and public roads.
- 22. The hearing was adjourned on 15 April 2026, following presentations by the Submitters. The hearing was closed on 28 April 2026, following receipt of the Applicant's closing reply submissions on 24 April 2026. No further revisions to the Structure Plan or PDP provisions were proposed within the closing reply.

Relevant Statutory Provisions Considered

- 23. The RMA sets out a range of matters that must be addressed when considering a plan change, as identified in the section 32 evaluation report accompanying the notified plan change. We also note that section 32 clarifies that analysis of efficiency and effectiveness is to be at a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
- 24. We do not need to repeat contents of the Applicant's Plan Change Request and Section 32 Assessment Report in any detail. We accept the appropriate requirements for the formulation of a plan change have been comprehensively addressed in the material before us and we have adopted these for our decision.
- 25. We accept that the section 32 Evaluation Report provided an analysis of efficiency and effectiveness of the plan change and was at a level of detail that corresponded to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the plan change.

26. Furthermore, the Applicant in its evidence, at the hearing, proposed some changes to the plan change in response to concerns raised by the Council and Submitters. We accept that an appropriate evaluation of those changes has been made in terms of section 32AA of the RMA.
27. We also accept that the plan change, subject to the modifications we have made, gives effect to the National Policy Statements regarding urban development, freshwater, highly productive land, and indigenous biodiversity; and also gives effect to the Regional Policy Statement. The details of these statutory (and other) documents were comprehensively addressed in the Application documents, and in the section 42A report. There was broad agreement between the Applicant's and Council's planners that PPC1 would give effect to these statutory documents. We agree and accordingly do not need to address those documents in relation to PPC1 in this decision.
28. Clause 10 of Schedule 1 requires that this decision must include the reasons for accepting or rejecting submissions. We set out our reasons for approving the plan change below, as well as our response to the submissions. As mentioned above, that decision must include a further evaluation of any proposed changes to the plan change arising from submission; with that evaluation to be undertaken in accordance with section 32AA. With regard to Section 32AA, we note that the evidence presented by the Applicant, Submitters and Council effectively represents this assessment, and that that material should be read in conjunction with this decision, where we have determined that a change to PPC1 be made.
29. Having considered the application, legal submissions and the evidence (including the section 42A report), we are satisfied that PPC1 has been developed in accordance with, and gives effect to (subject to the modification we have made), the relevant statutory requirements.

The Site and Surrounding Environment

30. The Applicant provided a thorough description of the PPC1 site and surrounding environment within section 2 of the AEE and section 2 of the Landscape Report accompanying the request for the private plan change. Ms Bridget Gilbert, in her evidence on behalf of the Council agreed with description of the site and surrounding environment within the Applicant's Landscape Report, and this was adopted for the purposes of the section 42A report. We agree with and adopt this description.
31. By way of summary, the land zoned THRZ comprises approximately 162ha located on the southwestern side of Arrowtown. It is bounded by the Arrowtown-Lake Hayes Road to the west and has frontages onto McDonnell Road to the east and Hogans Gully Road to the south. PPC1 does not affect the spatial extent of the site as illustrated within chapter 47 of the PDP.
32. The existing 18-hole Hills golf course currently occupies much of the land and is characterised by varied terrain with clusters of exotic and native trees, areas of tussock grassland, sand bunkers and small ponds interspersed between the holes. THRZ also

currently contains the short 9-hole Farm course on the southwestern side of the Clubhouse, facing towards Hogans Gully Road, which is proposed to be disestablished and redeveloped for Home Sites. Existing buildings are limited to the Clubhouse and carparking, centrally located within the site within current AA C, and residential units within the existing Homes Sites (HS) 1, 2 and 4, buildings associated with the golf resort in AA G, 9 and S1, and farm buildings. All existing buildings are set within well-established clusters of vegetation and are difficult to see from outside the Site. Otherwise, the site is largely undeveloped.

33. As outlined within the AEE, beyond THRZ, Arrowtown is located to the east of McDonnell Road along the banks of the Arrow River. The town centre is located to the north of the Site, with the southern reaches of the residential area reaching approximately halfway down the McDonnell Rd extent of THRZ, and contained by the Arrowtown Golf Course. On the western side of McDonnell Road, there are three existing rural residential land parcels that are surrounded by THRZ (82 – 148 McDonnell Road), and a further land parcel (owned by the Applicant) bounded on the north and west by THRZ. These are zoned Wakatipu Basin Rural Amenity Zone, or Wakatipu Basin Rural Amenity Zone Lifestyle Precinct under the PDP.
34. On the western side of Arrowtown-Lake Hayes Road is Millbrook Resort and Golf course, with the recently developed Ayrburn historic commercial precinct located below that. Hogans Gully Road, on the southern edge of the site, is characterised by residential units on larger landholdings, set well back from the road and generally difficult to see due to the topography and vegetation. The northern extent of the Operative Bendemeer Special Zone is at a higher elevation, and to the east of that is the Hogans Gully Resort Zone, which is a golf resort zone with similarities to THRZ, providing for a golf course, residential and visitor accommodation activity and which has not yet been developed.

Evidence

35. We received a considerable amount of evidence, including the section 42A report and statements of evidence from Ms Gilbert and Mr Antoni Facey. A list of the evidence received is set out in Appendix 1.
36. Prior to the hearing expert conferencing was undertaken by the traffic, landscape and planning witnesses for the Applicant and the Council and JWS produced. This enabled the issues to be significantly narrowed in scope.
37. The Hearing Panel issued Direction 4 – excusing the Traffic Engineering witnesses from attending the hearing on the basis there were no outstanding matters of disagreement as outlined in their JWS. No traffic experts were engaged by submitters. Given that there were no traffic issues in contention by the time of the hearing, and we accept the evidence of those experts, we do not need to address the evidence further in this decision. Those experts' opinions and the planning response as reflected in the updated THRZ provisions and Structure Plan, are accepted by us as being the most appropriate in terms of sections 32 and 32AA of the RMA.

38. Similarly, by the time of the hearing, there were no outstanding issues in contention between the Applicant's and Council's Landscape expert witnesses as the refinements that Ms Gilbert had previously recommended had been incorporated into the updated hearing version of the provisions dated 14 April 2026. Both Ms Gilbert and Ms Pfluger confirmed their opinion that the landscape-related effects of the development enabled by THRZ PPC1 will be minor and the development outcome will maintain the landscape character and amenity values of THRZ and the surrounding environment, making it appropriate from a landscape perspective.
39. In relation to planning matters, the Planning JWS also reached broad agreement on the issues, with only two outstanding issues in contention by the time of the hearing. One of these related to Queenstown Trails Trust's (**QTT**) submission seeking a trail extension over Lot 6 DP 392663 (the adjoining site to the southeast corner of the zone known as the Boxer Hills site). In his section 42A report Mr Barr had recommended amending the Structure Plan to show the walkway/cycleway trail over this land. However, the Applicant's proposal to extend the trail along the Hogan's Gully Road frontage within THRZ was supported by QTT, and therefore Mr Barr confirmed at the hearing that he is comfortable with the Trail location as currently proposed and no longer recommends that the trail be shown on the Structure Plan over the neighbouring Boxer Hills land.
40. The balance of this decision focuses on those matters that remained in contention between the parties at the end of the hearing.

Areas in Contention and our Findings on Those Matters

Proposed Staging Rule

41. In his section 42A report, Mr Barr recommended the inclusion of a new policy and rule, in Chapter 47 of the PDP, requiring the construction of a minimum of 14 visitor accommodation units within the dedicated visitor related activity areas (A1, A3, A6 and C) before any building on Homesites 6-16 can be developed. He reiterated in paragraph 1.7 of his summary statement at the hearing, that he remains of the view that the redistribution of residential activity and its dispersal to the southwestern part of THRZ raises the potential for the proposal to not achieve Objective 47.2.1 "*An integrated golf resort development that principally provides for a range of visitor industry related activities, while also providing for limited residential activity, all of which are located and designed with particular regard to maintaining the landscape character and amenity values of the Zone and surrounding environment.*" In his opinion, the new dedicated home sites should be tied into provisions that require a minimum amount of dedicated visitor accommodation prior to development.
42. Mr Brown does not agree with inclusion of a staging rule. As he states in both his primary evidence (at paragraph 3.65) and in his summary statement, the addition of the new Home Sites 6 – 16 does not change the overall required proportion of visitor accommodation units versus residential units in THRZ, nor the overall maximum of residential units, as regulated by Rules 47.5.15 and 47.5.16 respectively. In his opinion the zone will retain the low average density of residential development and will still

overall be a development focused on onsite visitor activities (principally golf) as required by the objective of the zone.

43. In addition, the new home sites will be integrated into the balance of the zone physically by the consistent landscape treatment, through the LAMA and SPA methods, and through the access links to the main resort facilities.
44. Mr Brown and Ms Wolt also pointed out that construction of the first visitor accommodation units has already commenced. In Ms Wolt's view this demonstrates a genuine commitment to delivering visitor accommodation as part of the resort development.
45. In her opening legal submissions, Ms Wolt stated the Applicant opposes the inclusion of the staging provisions because these do not arise from or address a submission or a change to the status quo advanced by the plan change. In her view there is no jurisdictional scope for this decision, nor any valid effects or policy basis. This point was reiterated in her closing legal submissions.
46. Notwithstanding jurisdictional scope, we agree with the Applicant's position that staging provisions are unnecessary. We were not convinced by Mr Barr's argument that the 11 new home sites could undermine the integrity of the zone nor that the new area being proposed for residential increases the risk of the zone being developed as residential. In our observation, while the residential units will be enabled in different parts of the site, the overall outcome will still be the same as there is no staging policy or rules currently within THRZ nor has the quantum of residential activity permitted been altered.
47. Furthermore, both landscape experts have considered the landscape effects of the new Home Sites 9 – 16 and, following the amendments to building heights and SPAs, agree the landscape effects will be minor and that the development outcome will maintain landscape character and amenity values. We therefore prefer the evidence of Mr Brown on behalf of the Applicant that staging provisions are unnecessary to achieve the objective of THRZ.

Sports Courts and Gardens Activity Area (AA SG)

48. Submissions by Todd (#2) and Brown (#4) opposed the location of the AA SG in terms of the impacts it would have on their properties at Advance Terrace, Arrowtown. The reasons provided within both submissions relate to hours of operation, noise effects, and traffic effects, and that the provisions of the AA SG do not match the development shown in the concept plans submitted in support of PPC1.
49. In response to these submissions, THRL has proposed changes to the provisions to significantly reduce the scope of activities and potential scale of built form provided for in the AA SG and address the disconnect between the rules for and anticipated use of the AA SG. These are set out in Mr Brown's primary evidence in paragraphs 3.28 – 3.35 and summarised in Ms Wolt's opening legal submissions as follows:

- (a) Restaurants are no longer an intended activity within the AA SG and have been deleted from Rule 47.4.19

- (b) The types of buildings are limited to pergolas, toilet facilities, one greenhouses and fences for sports courts
 - (c) The maximum gross floor area for any building has been reduced from 200m² to 60m²
 - (d) The maximum number of buildings has been limited to three
 - (e) Retail activity has been limited to one non-permanent food truck
 - (f) A new standard is included limiting hours of operation of any retail activity (including any licensed premises) to between 8am – 8pm
50. These amendments were supported by Mr Barr, who considers these will assist to manage potential nuisance effects on submitters Todd and Brown, as well as other residents, of Advance Terrace. He did not recommend any further amendments to the provisions in relation to these submissions.
51. Mr Chris Day presented acoustic evidence on behalf of the Applicant. He reconfirmed in his summary statement that the PDP provides noise limits that the activities within the AA SG would need to comply with and that these are more conservative than most district plan noise limits.
52. We questioned him about pickleball, as our understanding is that the noise from pickleball courts is greater than tennis courts. Mr Day agreed that pickleball noise is greater than tennis courts and that problems can arise with pickleball where courts are abutting residential properties. However, the AA SG is 400m minimum from the nearest residences. In the case of the properties on Advance Terrace, with the ambient noise of traffic on McDonnell Road factored in, Mr Day concludes that the predicted level of noise level from music noise, court noise and people noise would be well within the PDP noise limits.
53. Dr Galloway, on behalf of the Todd's, put forward that the proposed location of the AA SG is not the most appropriate from a recreation planning perspective and that it transfers amenity effects of a private enterprise into the public domain and therefore should be relocated. He did not offer an alternative location. Neither did Mr Todd. Nor was any expert acoustic or visual evidence presented on behalf of this submitter.
54. Dr Galloway also questioned the types of activities that might establish within the AA SG, based on the description of the Activity Area within 47.1.2. We understand from evidence provided by Mr Brown and others that the AA SG could be used as an events venue, managed under Chapter 35 of the PDP, which prescribe the standards for permitted events. These standards apply to any site in THRZ and PPC1 is not proposing any changes to those standards.
55. We were not persuaded by the arguments put forward by Mr Todd and Dr Galloway regarding the location and use of the AA SG. We prefer the evidence presented on behalf of the Applicant that this is the best location for the Activity Area and that any

effects can be appropriately managed through the provisions within the PDP, including the refined provisions within Chapter 47 and those related to noise.

56. However, we do agree with Dr Galloway that the description of the Activity Area is somewhat ambiguous. While the rules were amended to reduce the scope of activities and potential scale of built form, the description remained unaltered. We are therefore recommending a minor amendment to the description of the Activity Area within 47.1.2 in light of submissions #2 and #4 to delete reference to communal outdoor living and open spaces as follows:

Sports Courts and Gardens (SG) – to provide for recreation activities for use by visitors and residents, including playing surfaces and courts, ~~communal outdoor living and open spaces~~, and related activities (0.6ha)

57. We are of the view that this amendment will provide a higher degree of certainty about activities that are provided for within this area and in part addresses the concerns raised in submissions Todd (#2) and Brown (#4).

Enlargement of Activity Area A4

58. Submissions by Todd (#2) and Brown (#4) opposed the expansion of AA A4 (**A4**), seeking that it be refused on the basis of adverse visual effects.
59. Mr Todd spoke to the importance of the existing vegetation for screening A4, which he observed has now been removed. In his view this has opened up A4 from the properties on Advance Terrace, therefore the opportunity to use that vegetation to screen A4, as suggested in his evidence, has now been lost.
60. We understand alterations to the landform to create the LAMA (**L4**) and substantial mitigation planting are proposed. Ms Pflüger informed us in her summary that the existing vegetation within L4 did not need to be retained to address the visual effects of buildings within the adjacent A4.
61. Both Ms Pflüger and Ms Gilbert conclude that the adverse visual effects of the amended extent of A4 from the submitters' properties will be low, and comparable to the currently approved location, due to the extensive L4 proposed to the east of the activity area.
62. We agree with the landscape experts that visual effects of the extended A4 can be appropriately managed by the mounding and planting proposed for L4 and therefore do not recommend any further amendments to this Activity Area or associated LAMA.

Activity Area A2 - Viewshaft

63. We heard from submitters #18 Mr and Mrs Page regarding their submission points. By the time of the hearing most of their concerns had been resolved. The outstanding issue was with respect to buildings that could be developed within Activity Area A2 (**A2**) and the impact that would have on their view towards Bob's Peak.
64. Mrs Page presented the correspondence she had had with both contacts at the Hills property and with QLDC over more than 20 years that had led to their understanding that their views to Cecil, Bob's and Coronet Peak would be retained.

65. A2 is already included within the operative THRZ and is located to the north-west of the Pages' dwelling. PPC1 proposes an extension to A2 increasing the area from 0.9ha to 1.4ha. In terms of its overall length, the extension runs roughly parallel with the western boundary of the Page's property, but to the north and therefore further away from the Pages' dwelling. The LAMA runs parallel to the Pages' boundary providing visual separation between their boundary and any buildings within A2.
66. Under the existing THRZ, the maximum building height in A2 is 8m and this is proposed to be reduced to 7m under PPC1, which will result in a reduction in the potential height of built form within this activity area. While the LAMA and the reduction of maximum height of the buildings will reduce their visibility from the Pages' dwelling, but it will not protect their current views of Bob's Peak.
67. We have some sympathy for Mr and Mrs Page as plan changes and consents can be difficult processes to engage with. Unfortunately, it does not appear that the understanding that the Pages had with the late Sir Michael Hill regarding protection of views was ever formalised, such as by way of a Record on the Title or similar.
68. We also learnt that subdivision and land use consent has already been granted for the operative part of A2, including the LAMA, and that cannot be altered by this Plan Change. We therefore have no ability to require viewshafts over A2 in favour of the Pages as sought.
69. We understand that THRL remains committed to ongoing discussions with the Pages, particularly with respect to planting and design matters and hope there will be some resolution between the two parties outside of this process.

Matters raised by Ms Weber and Mr Gibson

70. Four matters were raised by Ms Weber and Mr Gibson at the hearing:
 - (a) The restricted discretionary height rule for future buildings within Home Sites 10, 12, 15 and 16;
 - (b) Minimises light pollution – night sky amenity;
 - (c) The surface treatment of the internal roading to the Home Sites 9-16; and
 - (d) The trail extension, which we understand does not extend as far as the Weber property and therefore is outside of our scope to make any further recommendations.
71. Ms Weber and Mr Gibson are seeking that there be no restricted discretionary pathway for additional height for Home Sites 10, 12, 15 and 16. We agree with the Applicant that the restricted discretionary regime is not a "back-door" to greater height, but a consenting pathway for a slightly taller building, of up to 1 metre, if the visual effects can be demonstrated to be acceptable. In our view this is an appropriate and considered approach, consistent with the PDP, and no further amendments to the rule are necessary.

72. In terms of the impact of light spill on the night sky from the Hogan's Gully Home Sites and the access road, Ms Weber and Mr Gibson were suggesting no street lighting at the Hogan's Gully entrance. We are aware that rule 47.5.13 within the operative THRZ already controls lighting and light spill and that this will apply to the new Home Sites. We were also directed to rule 47.4.1 with regards to the Hogan's Gully vehicle entrance, which requires a controlled activity consent, with matters of control including lighting. We concur with the Applicant that these existing controls are sufficient and that no further amendments are required to address the submitters' concerns related to this matter.
73. With respect to the internal access road, we are not persuaded that there will be any noise related issues, as vehicle numbers will be low according to both Messrs Carr and Facey.

Section 32AA Evaluation

74. As addressed earlier, section 32AA of the RMA requires a further evaluation for any changes that are proposed to the notified plan change after the section 32 evaluation was carried out. This further evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes. In our view this decision report, which among other things addresses the modifications we have made to the provisions of PPC1, satisfies our section 32AA obligations.

Part 2 of the RMA

75. Section 32(1)(a) of the RMA requires assessment of whether the objectives of a plan change are the most appropriate way for achieving the purpose of the RMA in Part 2. Section 72 of the Act also states that the purpose of the preparation, implementation, and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the RMA. In addition, section 74(1) provides that a territorial authority must prepare and change its district plan in accordance with the provisions of Part 2. While this is a private plan change, these provisions apply as if it is the Council who is approving the private plan change, which will change the PDP.
76. For all of the reasons set out in this decision, we are satisfied the matters set out in sections 6, 7 and 8 of the RMA have been appropriately addressed. PPC1 and its provisions, as we have modified them, have respectively recognised and provided for, have had particular regard to, and have taken into account, those relevant section 6, 7 and 8 matters.
77. Finally, in terms of section 5 of the RMA, it is our finding that the provisions of PPC1 are consistent with, and the most appropriate way, to achieve the purpose of the Act. PPC1 will enable the efficient development of the site for an integrated golf resort and visitor industry related activities, while also protecting the identified values (cultural and ecological), as well as avoiding, remedying, or mitigating any adverse effects on the environment.

Recommendations

78. Having considered all the submissions, presentations, evidence, legal submissions and Council's evidence before us, we agree that PPC1 as amended and presented at the hearing is well considered and that any potential effects can be appropriately managed by the provisions.
79. We recommend that, pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, Council **approve** Private Plan Change 1 – The Hills Resort Zone by The Hills Resort Limited to the PDP, subject to the modifications as set out in this decision.
80. Submissions on the plan change are accepted, accepted in part, or refused, in accordance with Appendix 2.
81. The summary reasons for the recommendation decision are that PPC1:
- a) For the reasons set out above, we considered that the Applicant has demonstrated, supported by necessary evaluation in accordance with s.32 and s.32AA that it assists the effective implementation of the Queenstown Lakes Proposed District Plan;
 - b) It will assist the Council in achieving the purpose of the RMA;
 - c) It is consistent with the provisions of Part 2 of the RMA;



Dr Lee Beattie - Chairperson

For Commissioners Lisa Mein and Dr Lee Beattie

27 May 2026