

Planning & Strategy Committee

29 April 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [1]

Department: Planning & Development

Title | Taitara: Update on Progress on the Proposed District Plan and Other Key Projects

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to update the Planning & Strategy Committee on key projects being progressed by the Planning Policy Team (the Team).

Recommendation | Kā Tūtohuka

That the Planning & Strategy Committee:

1. **Note** the contents of this report;
2. **Note** the updates on timing and progress on projects undertaken by the Planning Policy team.

Prepared by:



Name: Alyson Hutton
Title: Manager Planning Policy
10 April 2025

Reviewed and Authorised by:



Name: David Wallace
Title: GM Planning & Development
11 April 2025

Context | Horopaki

1. This report provides an update on the progress with the District Plan Review, which commenced in 2015. The Council made the decision to review the Operative District Plan in stages, and then this approach turned into a rolling review. This is a resource heavy process which means at any time the Planning Policy team are undertaking District Plan monitoring, developing new or amended provisions, preparing for and participating in Council hearings and defending Council's position in the Environment Court.
2. This report provides a summary of progress on the Proposed District Plan and provides indications of existing and future workstreams. The report also provides summary on progress on other projects undertaken by the Planning Policy Team.
3. The key workstreams of the team can be summarised as deriving from the following requirements:
 - Reviewing the Operative District Plan in a timely manner and in accordance with statutory requirements, and providing statutory support to other Council direction, such as the Climate & Biodiversity Plan, Joint Housing Action Plan, and the Mode Shift Plan;
 - Giving effect to central government direction – such as the National Policy Statement – Urban Development and National Planning Standards;
 - Implementing the Spatial Plan through variations to the Proposed District Plan;
 - Consistency and giving effect to the Otago Regional Policy Statement(s) (RPS) including participating in the 1st schedule process for the RPS ; and
 - Making complicated processes easier for the public and using opportunities to provide technology assistance (including EPlan, implementing the National Planning Standards, preparing guidance material to assist plan users, and providing a duty planner service);
 - Processing Private Plan Changes.

Analysis and Advice | Tatāritaka me kā Tohutohu

4. Attachment A is a table that provides progress updates on the team's key work streams.
5. The activities occurring in relation to the Environment Court appeals are in accordance with the guidelines and parameters set by the Planning & Strategy Committee or Appeals Subcommittee.
6. This report assists elected members, stakeholders and the community to understand the future work programme and interrelationships of the work being undertaken.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

7. This matter is of medium significance as determined by reference to the Council's Significance and Engagement Policy because it is a matter relating to the administration of Council affairs.

8. The persons who are affected by or interested in the District Plan Review and related projects are residents/ratepayers of the Queenstown Lakes District community. Particular individuals and entities affected have opportunities to participate in plan development and pre-notification consultation, submitting on the notified provisions and participating in hearings, appealing the decisions and joining the appeals.

Māori Consultation | Iwi Rūnaka

9. Consultation with tangata whenua under the Resource Management Act 1991 (RMA) is a legal requirement before notifying a district plan and it is noted that legal requirements are being met on an on-going basis, and that many of these matters will not be relevant to, or require specific consultation with, tangata whenua.
10. It is also noted that meaningful iwi consultation beyond the minimum will be undertaken where possible as it is generally best practice and can lead to a stronger understanding of the issues, and result in better environmental outcomes.
11. This is an update report, so no consultation on the contents of this report is required.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

12. 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 Queenstown Lakes District Council Risk Register. This risk has been assessed as having a moderate residual risk rating.
13. Measures have been put in place to implement to manage any risk as required for each project for the district plan review. This will be achieved by putting measures in place, which directly reduce the risk.

Financial Implications | Kā Riteka ā-Pūtea

14. There are no new operational and capital expenditure requirements additional to existing approved budget in the Annual/Long Term Plan as a result of items in this report. The continuation of the projects undertaken by the Planning Policy team can be implemented through current funding under the Long Term Plan and Annual Plan.

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

15. The consistency of these matters with Council effects and views, policies, strategies and bylaws will be covered under separate agenda items where appropriate.
16. The following Council policies, strategies and bylaws were considered:
 - Operative District Plan

- Proposed District Plan
- Spatial Plan/Future Development Strategy
- Climate & Biodiversity Plan
- Joint Housing Action Plan
- Mode Shift Plan

17. This matter is included in the Long Term Plan/Annual Plan

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

18. There are particular legal considerations that need to be taken into account under the RMA in relation to undertaking a 1st Schedule process to create or amend a District Plan. Where needed legal advice is taken and reported to the Planning & Strategy Committee directly or within the associated report.

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

19. Section 10 of the Local Government Act 2002 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. The Proposed District Plan provides a framework for the future development communities in the Queenstown Lakes District, contributing to their wellbeing. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

20. The review of the District Plan:

- 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

A	Update on Planning Policy Projects
B	General Update on Operative Status of Proposed District Plan Chapters and Outstanding Appeals
C	Environmental Court Decision NZEnvC119 s293

Attachment A: Update on Planning Policy Projects

Attachment A: Summary of Projects and Timelines

Proposed District Plan Project – Changes since the previous meeting are shown in **bold**.

Stage 1 Proposed District Plan		
Notified August 2015 Council Decisions Issued Some provisions still under appeal	Chapter 1: Introduction Chapter 2: Definitions Chapter 3: Strategic Direction Chapter 4: Urban Development Chapter 5: Tangata Whenua Chapter 6: Landscapes Chapter 7: Lower Density Suburban Residential Zone Chapter 8: Medium Density Residential Zone Chapter 9: High Density Residential Zone Chapter 10: Arrowtown Residential Historic Management Zone	The following chapters still have outstanding appeals: Chapter 2: Definitions Chapter 4: Urban Development Chapter 17: Airport Zone Chapter 22: Rural Residential and Rural Lifestyle Chapter 27: Subdivision and development Chapter 29: Transport

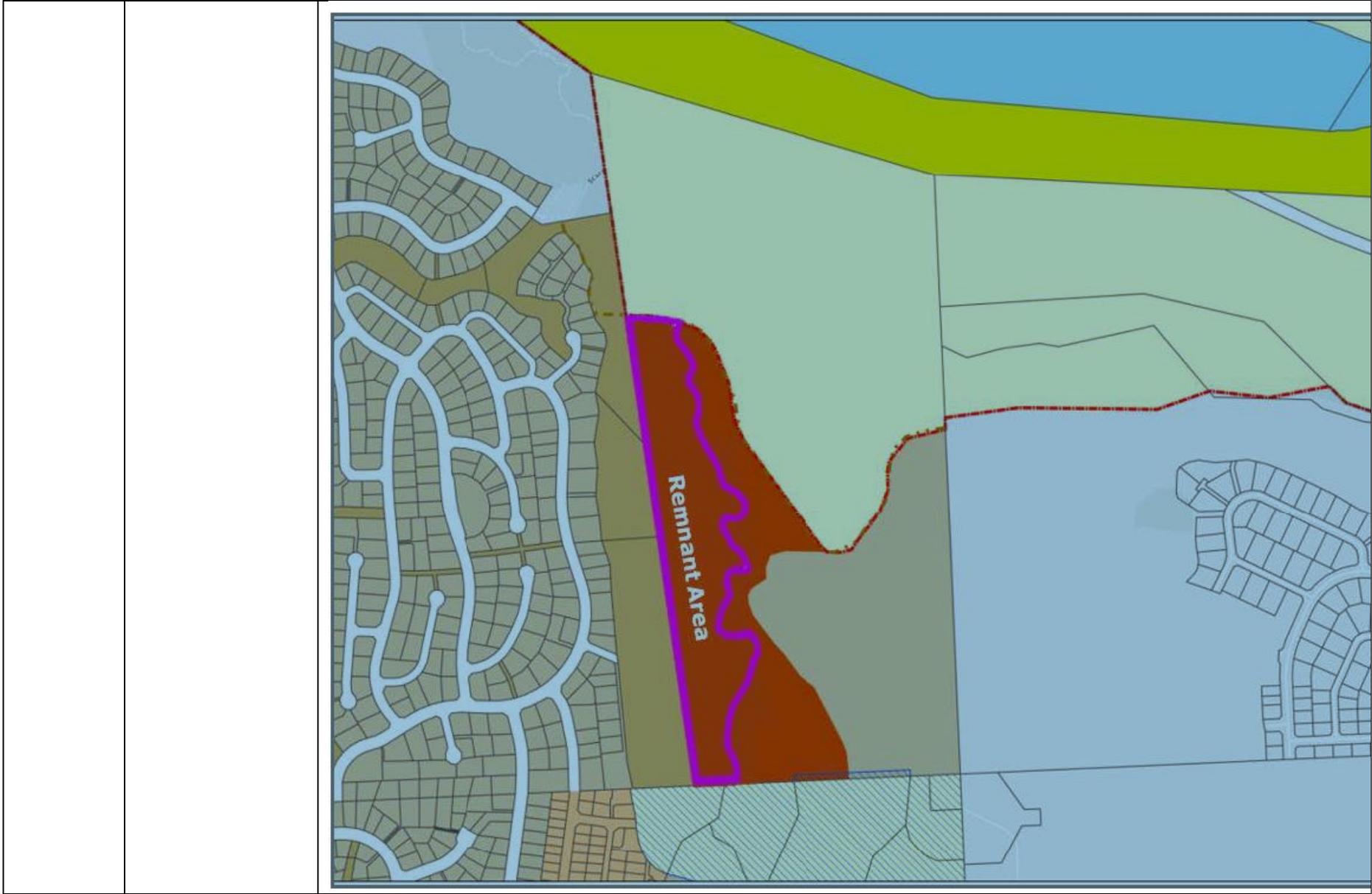
	<p>Chapter 11: Large Lot Residential Zone</p> <p>Chapter 12: Queenstown Town Centre Zone</p> <p>Chapter 13: Wānaka Town Centre Zone</p> <p>Chapter 14: Arrowtown Town Centre Zone</p> <p>Chapter 15: Local Shopping Centre Zone</p> <p>Chapter 16: Business Mixed Use Zone</p> <p>Chapter 17: Airport Zone</p> <p>Chapter 21: Rural Zone</p> <p>Chapter 22: Rural Residential & Rural Lifestyle Zone</p> <p>Chapter 23: Gibbston Character Zone</p> <p>Chapter 26: Historic Heritage</p> <p>Chapter 27: Subdivision & Development</p>	
--	---	--

	<p>Chapter 28: Natural Hazards</p> <p>Chapter 30: Energy & Utilities</p> <p>Chapter 32: Protected Trees</p> <p>Chapter 33: Indigenous Vegetation Biodiversity</p> <p>Chapter 34: Wilding Exotic Trees</p> <p>Chapter 35: Temporary Activities</p> <p>Chapter 36: Noise</p> <p>Chapter 37: Designations</p> <p>Chapter 41: Jacks Point</p> <p>Chapter 42: Waterfall Park</p> <p>Chapter 43: Millbrook</p> <p>Chapter 45: Gibbston Valley Resort Zone</p>	
Stage 2 Proposed District Plan		
	<p>Chapter 24: Wakatipu Basin</p>	<p>The following chapters have appeals outstanding.</p> <p>Chapter 24 (mapping requests)</p>

Notified November 2017 Council decision issued	Rural Amenity Zone Chapter 25: Earthworks Chapter 29: Transport Chapter 31: Signs Chapter 38: Open Space & Recreation Zones Visitor Accommodation Variation	Chapter 25: Earthworks Chapter 29: Transport Chapter 38: Open Space and Recreation
Stage 3 & 3B Proposed District Plan		
Stage 3 Notified September 2019 Council decision issued	Chapter 18A: General Industrial & Service Zone Chapter 19A: Three Parks Commercial Zone Chapter 19B: Three Parks Business Zone Chapter 20: Settlement Zone Chapter 39: Wāhi Tūpuna Business Mixed Use & Residential Design Guidelines Variation	The following chapters have appeals outstanding. Chapter 18A: General Industrial & Service Zone (mapping requests and upzoning)

<p>Stage 3B Notified October 2019 Council decision issued</p>	<p>Chapter 46: Rural Visitor Zone</p>	<p>Chapter 46: Under appeal</p>
<p>Arthurs Point Re- notification (Stage 1 of the PDP) March 2022 Council decision issued</p>	<p>An amended Summary of Decisions Requested for two submissions made on the Queenstown Lakes Proposed District Plan (Stage 1), by Gertrude’s Saddlery Limited and Larchmont Developments Limited.</p> <p>The submissions seek relief associated with land at Arthurs Point. The relief sought has been summarised in the amended Summary of Decisions Requested, which</p>	<p>Parameters for mediation were set at the November 2023 P&S meeting (in public excluded) and updated at the P&S meeting of 3 April 2005</p> <p>The evidence timetable is currently on hold to enable additional mediation amongst parties to the appeal. This is ongoing.</p> <p>Council will provide planning and landscape architecture evidence.</p>

	<p>has been made available as an Addendum to the Summary of Decisions Requested for Stage 1 of the PDP. The process was undertaken in accordance with an Enforcement Order issued by the Environment Court dated 11 September 2019.</p>	
<p>Section 293 – Bunker and Rouse “Sticky Forest”</p>		
<p>Stage 1 Proposed District Plan</p>	<p>This Section 293 application arises from the Court’s second interim decision that addressed the appropriate zoning of a site in Hāwea/Wānaka Sticky Forest known locally as “Sticky Forest”.</p>	<p>The Environment Court has issued directions for a Section 293 application to be publicly notified. The Council is required to notify Annexures 1 and 2 to the Court’s minute within 10 working days of the decision.</p> <p>Under section 293 of the RMA, a process has been initiated to enable consideration of a change from Rural Zone to a Large Lot Residential Area A Zone, an amended Urban Growth Boundary (UGB), changes to the provisions, and other consequential changes affecting the south western strip of land within Hāwea / Wānaka Sticky Forest (the <i>Remnant Area</i>)- as shown below.</p>



		<p>The Council will serve written notice on the owner of the property that is subject to the rezoning by way of letter to the registered ratepayer of that property; and publicly notify the proposed rezoning, amendment to the Urban Growth Boundary, changes to the provisions and consequential changes by way of written notice on Council’s website and in the local newspapers.</p> <p>The public notice will provide the following information:</p> <ul style="list-style-type: none"> - That any person may provide to QLDC written comments and any supporting expert evidence on the change by a date specified in the notice (not less than 20 working days after publication of the notice) but that: <p>It notes that any person who wants to formally join the Beresford, Rouse and Bunker appeal as a section 274 party , which would give them the ability to be involved in any Environment Court hearing on the proposed change (if necessary) and future appeal rights, needs to have an interest greater than the interest of the general public;</p> <p>Council will provide a summary description of the proposed rezoning and the consequential changes.</p> <p>Council will notify the Section 293 by Monday 28th April. A date for the public notice has not been determined at the time of drafting this agenda item.</p>
<p>Variations Currently being Processed & Status</p>		
<p>Landscape Schedules - Priority Landscapes Notified June 2022</p>	<p>This proposal is a variation to Chapter 21 Rural Zone of the PDP, to introduce landscape schedules 21.22 and 21.23.</p>	<p>A decision has been ratified by the Council on 6 June.</p> <p>Council received 16 appeals (and one late appeal pending confirmation) on the PA Variation and a number of s274 notices. 2 appeals have now been resolved by consent order [UCT Properties Limited And Alpine Deer Holdings LP and Treespace No1 Limited Partnership].</p> <p>The issues raised by the appeals cover a broad range of topics including the preambles to the schedules, changes to specific landscape schedules and process issues.</p>

		<p>Other issues raised by the appeals include the mapping of PA boundaries and ONL/F boundaries, methodology, legal weighting and potential for higher order policy and consequential changes.</p> <p>8 days of mediation are proposed commencing from 7 May 2025.</p> <p>Environment Court has now confirmed the Council’s case management proposal and issued directions.</p>
<p>Urban Intensification Variation Notified August 2023</p>	<p>This proposal seeks to amend the PDP by increasing heights and densities in some zones in the Urban environment as well as rezoning land close to the commercial areas in Queenstown, Frankton and Wānaka to enable intensification of development. The proposed variation also includes amendments to planning provisions to recognise the benefits of intensification; to ensure adequate amenity values are</p>	<p>Over 1250 submissions were received (comprising over 5000 submissions points).</p> <p>A hearing will then be scheduled to hear submissions in 2025. The hearing schedule will be confirmed via a Minute to be issued by the Hearings Panel.</p> <p>The timing of the schedule will account for the timing of the new Housing & Business Development Capacity Assessment.</p> <p>Commissioners have been appointed to hear the submission on this Variation: David Allen (Chair) Ian Munro Lyal Cocks</p> <p>The following timetable has been confirmed, and the 1st minute of the commissioners has been sent to all submitters and further submitters.</p> <p>Council’s evidence is currently being drafted and reviewed to meet the timetable</p>

provided for within intensification areas; and to ensure that intensification can be serviced.

The proposed amendments to planning provisions would apply to the following PDP chapters:

- Chapter 2 – Definitions
- Chapter 4 – Urban Development
- Chapter 7 - Lower Density Suburban Residential Zone
- Chapter 8 – Medium Density Residential Zone
- Chapter 9 - High Density Residential Zone
- Chapter 12 - Queenstown Town Centre Zone
- Chapter 13 -

APPENDIX 1: SUMMARY OF KEY DATES

Step	Date
Section 42A report, including any supporting expert reports/evidence by the Council's expert advisors, and provide it to the Hearing Administrator	12 Noon 6 June 2025
Lay Witness Evidence	12 Noon 4 July 2025
Expert Witness Evidence	12 Noon 4 July 2025
Expert Witness Conferencing (as required) 10-16 July	10 to 16 July 2025
Site Visit Requests	12 Noon 11 July 2025
Rebuttal Evidence	12 Noon 25 July 2025
Hearing Commences:	
Week 1: 28 July to 01 August 2025 at the Arrowtown Athenaeum Hall	28 July to 01 August 2025
Week 2: 04 August to 08 August 2025 at the Queenstown Memorial Centre Auditorium	04 August to 08 August 2025
Week 3: 25 August 2025 to 29 August 2025 at the Wānaka Community Hub	25 August to 29 August 2025

	<p>Wānaka Town Centre Zone</p> <ul style="list-style-type: none"> • Chapter 15 – Local Shopping Centre Zone • Chapter 16 - Business Mixed Use Zone • Chapter 27 – Subdivision and Development 	
Landscape Schedules - Upper Clutha Landscapes	<p>This proposal is a variation to Chapter 21 Rural Zone of the PDP, to apply landscape schedules to the Upper Clutha Rural Character Landscapes and the Clutha Mata-au ONL.</p>	<p>The Upper Clutha Landscape Schedules Variation was renotified on 15 November 2024. Submissions closed on 13 December 2024. 50 submissions were received, with two submitters indicating that their submissions would be withdrawn (which would account for 48 in total).</p> <p>A summary of decisions requested has been notified for further submissions on 20 February 2025 and was open for further submissions until 7 March 2025.</p> <p>Commissioners have been appointed to hear the submission on this Variation: Peter Kensington (Chair) Richard Blakely Quentin Smith</p> <p>Given the timing of the Urban Intensification Variation (evidence deadlines) and the local body elections, this hearing is now scheduled to take place after the elections. The exact dates are being confirmed, a minute will be issues by the panel in due course.</p>
Final Stage – District Plan Review		
Special Zones Review	<p>The following special zones are scheduled to be</p>	<p>Monitoring reports, background research and options analysis are being undertaken. A consultation approach (strategy) with key stakeholders is being created.</p>

	<p>reviewed in 2024 – they are the remaining chapters of the Operative District Plan to be brought into the Proposed District Plan.</p> <ul style="list-style-type: none"> • Arrowtown South <ul style="list-style-type: none"> • Meadow Park • Bendemeer Park • Frankton Flats A • Frankton Flats B • Remarkables Park • Kingston Village • Mount Cardrona Station • Penrith Park • Quail Rise Zone • Shotover Country • Plan Change 	<p>A Councillor workshop was held on 26 November 2024 and a Storymap (consultation tool) was presented which highlighted the work being undertaken across the Special Zones.</p> <p>A webpage has been set up to outline progress on the review of the Special Zones. Section 35 monitoring reports are being added as they are completed.</p> <p>QLDC - Special Zones Review</p>
--	--	---

	<p>50/Queens town Town Centre Extension</p> <ul style="list-style-type: none"> • Northlake 	
Wāhi Tūpuna Layers	<p>At the time of notification Wāhi Tūpuna were only applied to the Proposed District Plan. An assessment will be undertaken to determine any locations where these layers may be applied over the remaining zones to be reviewed.</p>	<p>Work to commence as resources allow.</p>
<p>Spatial Plan Priority Areas Rezoning</p>	<p>Te Tapuae Southern Corridor - Draft Structure Plan</p> <p>Frankton Priority Area</p>	<p>Supporting the Spatial Planning team to create a Structure Plan.</p> <p>Preparing Variation(s) to give effect to the Te Tapuae Southern Corridor Structure Plan in the Proposed District Plan.</p> <p>Being undertaken as part of the Special Zones review (Remarkables Park Zone, Frankton Flats A & B zones)</p>

<p>Amendments to support and provide a statutory weight for Council policies.</p>	<p>Climate and Biodiversity Strategy Travel Demand Management</p>	<p>Research and cost/benefit analysis being undertaken.</p>
<p>Natural Hazards</p>	<p>Gorge Road Glenorchy</p>	<p>Research and preparation of changes/variations to the Proposed District Plan (if required)</p>
<p>The Hills Private Plan Change</p>	<p>The Hills Special Zone</p>	<p>A private plan change has been received which seeks the following:</p> <ol style="list-style-type: none"> 1. To ensure amendments to the location of Activity Areas arising from design changes to the golf course are reflected in the Structure Plan and provisions for the Zone; and 2. To provide limited additional residential activity and additional recreational amenity for residents and guests of the resort. <p>The proposed change will be processed in accordance with the Act, and a subsequent agenda item will be presented to P&S in order to provide delegations for any next steps in the process (accept, reject, adopt, process as a resource consent).</p> <p>A further information request has been sent to the applicant.</p>

Other Projects

Making the Proposed District Plan Operative

An important step in the plan making process is making provisions formally operative in accordance with Clause 17(1) of the 1st schedule. Essentially this means that provisions can be relied on in their entirety. Up until that formal point, planners rely on Clause 86F (as there are no outstanding submissions or appeals to a provision). This point also makes the commencement of the 10 year “clock” where provisions need to be reviewed within 10 years of becoming operative.

A requirement of the Te Pūhahi Ladies Mile Streamlined Planning Process is for the provisions (if confirmed by the Ministry of the Environment) to be made operative. As significant parts of the Proposed District Plan are no longer subject to appeal, whole chapters are now able to be made operative. Operative status makes the implementation of the plan much easier. A careful analysis will be undertaken to ensure that operative status only applies to the provisions that are no longer subject to appeal or amendment.

The Te Pūhahi Ladies Mile Variation has been made formally operative; all affected provisions are marked on the Eplan. Significant additional parts of the Proposed District Plan will be made operative early in 2025.

Gorge Road Hazards

Queenstown Lakes District Council (QLDC) has been investigating risk from natural hazards (rockfall and debris flow risk) in the Brewery Creek and Reavers Lane areas. Assessments show there are a range of risk levels in these areas, with elevated levels of risk in some places.

Council staff are now working on a further work programme to inform if and where the different elements recommended by the preferred response package will be applied and next steps for this project.

It is noted that this project is different from the post 2023 storm event cleanup which was not directly attributed to the natural hazards.

Glenorchy Natural Hazards

In the event that any planning implications arise from this project – i.e changes to the District Plan, then a project plan, resourcing and plan change process will be undertaken.

Housing and Business Capacity Analysis (HBCA)

Under the NPS-UD, Housing and Business Capacity Assessments (HBA) are required to be prepared by all Tier 1 and 2 Councils every three years. The HBA is designed to provide local authorities with a robust evidence base for housing and business land markets so that it can be used to inform plans, planning decisions, and related strategies.

The purpose of the NPS-UD is to recognise the national significance of urban environments and the need to enable such environments to develop and change; and in particular, providing sufficient development capacity within plans to meet the needs of people and communities and future generations in urban environments.

The NPS-UD requires QLDC and ORC to develop a highly detailed understanding of supply and demand for residential capacity as well as the needs of the community, the property and development market and competing market factors. It also requires a comprehensive understanding of holiday homes and visitor accommodation, and how these impact residential land capacities.

QLDC has commissioned a consultant to develop in partnership with Council a new online and interactive Housing and Business Capacity and Feasibility Model (growth model). This model will allow Council to understand the housing and business market by testing scenarios in-house to understand how changes in planning assumptions or infrastructure investment could impact on the results of capacity or feasibility in the district. This model is due to be completed in mid 2025 and will be used to inform the HBA (the written document). That document needs to be written to meet the needs of Subpart 5 of the National Policy Statement Urban Development.

3.19 *Obligation to prepare HBA*

- (1) *Every tier 1 and tier 2 local authority must prepare, and make publicly available, an HBA for its tier 1 or tier 2 urban environments every 3 years, in time to inform the relevant local authority's next long-term plan.*
- (2) *The HBA must apply, at a minimum, to the relevant tier 1 or tier 2 urban environments of the local authority (ie, must assess demand and capacity within the boundaries of those urban environments), but may apply to any wider area.*

The demand projections and infrastructure modelling has now been completed and the internal growth model is due to be completed mid/end April. This will then inform the HBA report due to be completed end of June.

Proposed Otago Regional Policy Statement

Queenstown Lakes District Council (QLDC) have participated in the submission process and are now appealing specific parts of the Regional Policy Statement, as well as joining as s274 party to various appeals to ensure the Council's interests are protected.

QLDC have expanded significant resources on reviewing the Proposed District Plan, which sets the strategic direction for the growth and development in the district. It is therefore essential that this policy framework is retained, hence our involvement in the Otago Regional Policy Statement.

High Court mediation has been held for the Freshwater parts of the pRPS (High Court). A consent order has been issued which confirms the resolution

Environment Court mediation is currently **being undertaken with only Natural features and landscapes, and Urban Development chapters remaining.** The Council are either appellants or parties the following sections of the pRPS

- Integrated Management
- Mana Whenua and Māori Land

- Land, freshwater and soil
- Energy, infrastructure and transport
- Ecosystems and indigenous biodiversity
- Natural Hazards
- Historical Heritage and cultural values
- Natural features and landscapes
- Urban Form and Development

Attachment B: General Update on Operative Status of Proposed District Plan Chapters and Outstanding Appeals

Attachment 2: Outstanding Environment Court Appeals: By Chapter of the Proposed District Plan

Changes since the previous meeting are shown in **bold**.

Summary of Appeals Resolution:

Stage 1	Stage 2	Stage 3	Landscape Schedules
107 Appeals	86 Appeals	43 Appeals	16 appeals
98 appeals resolved	76 appeals resolved	33 appeals resolved	2 appeals resolved
9 still live	10 still live	10 still live	14 live

Summary of Appeals detail by Chapter:

Chapter #	Chapter Name	Appeals	Summary of appeals/appeal points
Chapter 1	Introduction	No outstanding appeals	
Chapter 2	Definitions	Cardrona Cattle Company ENV-2021-CHC-034	Rezoning of a site at Gibbston to enable Industrial Zoning including any related changes to Definitions The Environment Court hearing has been vacated to allow further Environment Court led mediation.
Chapter 3	Strategic Direction	No outstanding appeals	
Chapter 4	Urban Development	Cardrona Cattle Company NEV-2021-CHC-034	Rezoning of a site at Gibbston to enable Industrial Zoning including any related changes to Chapter 4 Urban Development.

Chapter #	Chapter Name	Appeals	Summary of appeals/appeal points
			The Environment Court hearing has been vacated to allow further Environment Court led mediation.
Chapter 5	Tangata Whenua	No outstanding appeals	
Chapter 6	Landscapes and Rural Character	No outstanding appeals	
Chapter 7	Lower Density Suburban Residential	No outstanding appeals	
Chapter 8	Medium Density Residential	No outstanding appeals	
Chapter 9	High Density Residential	No outstanding appeals	
Chapter 10	Arrowtown Residential Historic Management Zone	No outstanding appeals	
Chapter 11	Large Lot Residential	No outstanding appeals	
Chapter 12	Queenstown Town Centre	No outstanding appeals	
Chapter 13	Wanaka Town Centre	No outstanding appeals	
Chapter 14	Arrowtown Town Centre	No outstanding appeals	
Chapter 15	Local Shopping Centre	No outstanding appeals	
Chapter 16	Business Mixed Use	No outstanding appeals	
Chapter 17	Airport Zone	Jeremy Bell Investments Limited ENV-2018-CHC-062	Seek rezoning of property opposite Wanaka Airport to an Airport Mixed Use Zone. Informal mediation nearly complete which should resolve this appeal.
Chapter 18	General Industrial and Service Zone	Queenstown Airport Corporation ENV-2021-CHC-048	Remaining relief sought regarding changes to the residential design guide – appropriate tree species near the Airport.
Chapter 19A	Three Parks Commercial	No outstanding appeals	
Chapter 19B	Three Parks Business	No outstanding appeals	
Chapter 20	Settlement Zone	No outstanding appeals	
Chapter 21	Rural Zone	No outstanding appeals	

Chapter #	Chapter Name	Appeals	Summary of appeals/appeal points
Chapter 22	Rural Residential and Rural Lifestyle	No outstanding appeals	
Chapter 23	Gibbston Character Zone	No outstanding appeals	
		Williamson S ENV-2019-CHC-084	Rezone parts of the Williamson Land, located between Malaghans, Mooney and Speargrass Flat Roads, from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct. On hold.
		Boxer Hill Trust ENV-2019-CHC-038	Rezone the land located adjacent to the intersection of Arrowtown-Lake Hayes and Hogans Gully Roads (Lot 6 DP392663 and Lot 2 DP 501981) from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct.
		Wood C ENV-2019-CHC-064	To require all but infrequent landings of helicopters to obtain consent (Informal airports provisions). Council has sent parties a position paper in order to promote discussions and hopeful resolution of these appeals.
		Faifax A ENV-2019-CHC-071	Informal airports are an established recreational activity within the Wakatipu Basin which should continue to be provided for. Council has sent parties a position paper in order to promote discussions and hopeful resolution of these appeals.

Chapter #	Chapter Name	Appeals	Summary of appeals/appeal points
		Aircraft Owners and Pilots Association (NZ) Inc ENV-2019-CHC-072	Informal airports are an established recreational activity within the Wakatipu Basin which should continue to be provided for. Council has sent parties a position paper in order to promote discussions and hopeful resolution of these appeals.
Chapter 24 Landscape Character Units	Landscape Character Units	Williamson S ENV-2019-CHC-084	Rezone parts of the Williamson Land, located between Malaghans, Mooney and Speargrass Flat Roads, from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct. On hold
		Boxer Hill Trust ENV-2019-CHC-038	Rezone the land located adjacent to the intersection of Arrowtown-Lake Hayes and Hogans Gully Roads (Lot 6 DP392663 and Lot 2 DP 501981) from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct. Under appeal
		Barnhill Corporate Trustee ENV-2109-CHC-086	Creation of a Morven Ferry Road Visitor Precinct.
		Morven Ferry Ltd ENV-2019-CHC-088	Creation of a Morven Ferry Road Visitor Precinct. Under appeal.
Chapter 25	Earthworks	Cardrona Cattle Company Ltd ENV-2021-CHC-034	Amendments to the Earthworks provisions to enable the rezoning to industrial zoning.

Chapter #	Chapter Name	Appeals	Summary of appeals/appeal points
			The Environment Court hearing has been vacated to allow further Environment Court led mediation.
Chapter 26	Historic Heritage	No outstanding appeals	
Chapter 27	Subdivision and Development	Cardrona Cattle Company Ltd ENV-2021-CHC-034	Seeks rezoning of land in Gibbston to enable urban development The Environment Court hearing has been vacated to allow further Environment Court led mediation.
		Boxer Hill Trust ENV-2019-CHC-038	Rezone the land located adjacent to the intersection of Arrowtown-Lake Hayes and Hogans Gully Roads (Lot 6 DP392663 and Lot 2 DP 501981) from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct. Under appeal.
		Alexandra Schrantz and Jayne Schrantz ENV-2018-CHC-061	Relief sought relating to policy drafting. It is allocated to Topic 22. Under appeal
		Malaghans Investments Limited ENV-2021-CHC-031	Rezoning land adjacent to Skippers Road to Rural Visitor Zone Environment Court mediation being undertaken.
		Cardrona Cattle Company Ltd ENV-2021-CHC-031	Seeks Rural Visitor Zoning at Gibbston The Environment Court hearing has been vacated to allow further Environment Court led mediation.
		The Station at Waitiri Limited	Seeks Industrial rezoning at Gibbston

Chapter #	Chapter Name	Appeals	Summary of appeals/appeal points
		ENV-2021-CHC-060	On hold awaiting outcome of Cardrona Cattle Company appeal.
		Barnhill Corporate Trustee ENV-2019-CHC-086	Creation of a Morven Ferry Road Visitor Precinct. Awaiting outcome of Wakatipu Basin appeal.
		Williamson S ENV-2019-CHC-084	Rezone parts of the Williamson Land, located between Malaghans, Mooney and Speargrass Flat Roads, from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct. On hold.
Chapter 28	Natural Hazards	No outstanding appeals	
Chapter 29	Transport	Cardona Cattle Company Ltd ENV-2021-CHC-034	Amendments to the Transport provisions to enable the rezoning to industrial zoning. The Environment Court hearing has been vacated to allow further Environment Court led mediation.
Chapter 30	Energy and Utilities	No outstanding appeals	
Chapter 31	Signs	No outstanding appeals	
Chapter 32	Protected Trees	No outstanding appeals	
Chapter 33	Indigenous Vegetation Biodiversity	No outstanding appeals	
Chapter 34	Wilding Exotic Trees	No outstanding appeals	
Chapter 35	Temporary Activities and Related Buildings	No outstanding appeals	
Chapter 36	Noise	No outstanding appeals	
Chapter 37	Designations	No outstanding appeals	

Chapter #	Chapter Name	Appeals	Summary of appeals/appeal points
Chapter 38	Open Space and Recreation	Queenstown Airport Corporation ENV-2019-CHC-039	Seeks amendments to ensure that Activities Sensitive to Airport Noise are Avoided. Under appeal
Chapter 39	Wahi Tupuna	No outstanding appeals	
Chapter 41	Jacks Point Zone	No outstanding appeals	
Chapter 42	Waterfall Park	No outstanding appeals	
Chapter 43	Millbrook	No outstanding appeals	
Chapter 44	Coneburn Industrial Zone	No outstanding appeals	
Chapter 45	Gibbston Valley Resort Zone	No outstanding appeals	
Chapter 46	Rural Visitor Zone	Barnhill Corporate Trustee Limited ENV-2021-CHC-017	Creation of a Morven Ferry Road Visitor Precinct. Awaiting resolution of Wakatipu Basin Zone appeal.
Chapter 47	The Hills Resort Zone	No outstanding appeals	
Chapter 48	Hogans Gully resort Zone	No outstanding appeals	
Web Mapping Application		Jemery Bell Investments Limited ENV-2018-CHC-62	Rezone to Rural Industrial or similar airport related zoning Under Appeal
		Te Anau Investments Limited ENV-2018-CHC-106	Rezoning at Walter Peak Environment Court mediation being undertaken.
		Alexandra Schrantz and Jayne Schrantz ENV-2018-CHC-061	Relief sought relating to policy drafting. It is allocated to Topic 22. Under appeal
		Boyd D ENV-2019-CHC-059	Remove Building Line Restriction Area

Chapter #	Chapter Name	Appeals	Summary of appeals/appeal points
			On hold pending Ladies Mile Variation
		Williamson S ENV-20-CCH-084	Rezoning parts of the Williamson Land, located between Malaghans, Mooney and Speargrass Flat Roads, from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct. On hold.
		Malaghans Investments Limited ENV-2021-CHC-030	Rezoning land adjacent to Skippers Road as a Rural Visitor Zone Environment Court mediation being undertaken
		Cardrona Cattle Company Limited ENV-2021-CHC-031	Seeks Rural Visitor Zone at land Gibbston On hold
		Cardrona Cattle Company Limited ENV-2021-CHC-034	Seeks Industrial zoning at land Gibbston Environment Court mediation being undertaken
		The Station at Waitiri Limited ENV-2021-CHC-061	Seeks Industrial rezoning at Gibbston On hold awaiting outcome of Cardrona Cattle Company.

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

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

Decision No. [2025] NZEnvC 119

IN THE MATTER of the Resource Management Act 1991

AND an appeal under clause 14 of the First Schedule of the Act

BETWEEN M J BERESFORD, R T BUNKER &
L M ROUSE

(ENV-2018-CHC-69)

Appellants

AND QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

Court: Environment Judge J J M Hassan
Environment Judge S M Tepania
Environment Commissioner J T Baines

Hearing: On the papers

Last case event: 22 January 2025

Date of Decision: 9 April 2025

Date of Issue: 9 April 2025

INTERIM DECISION OF THE ENVIRONMENT COURT

Section 293 directions



REASONS

Introduction

[1] This decision follows the court’s second interim decision on the appeal in the review of the Queenstown Lakes District Plan (‘PDP’), specifically addressing the appropriate zoning of a site in Hāwea/Wānaka Sticky Forest known locally as “Sticky Forest” (‘Site’) for which s293 directions are made.

Background

[2] The first and second interim decisions traverse the relevant background. In short, the appellants modified their relief prior to the hearing, agreeing to maintain Rural zoning over 32 ha of the Site, including 25 ha within the Dublin Bay Outstanding Natural Landscape (‘ONL’) and a 7 ha strip along the Site’s western boundary. The appellants sought rezoning of the remaining 19 ha to Large Lot Residential (‘LLR’) and Lower Density Suburban Residential (‘LDSR’), and alignment of the PDP urban growth boundary with the new residential zones. The court concluded this modified relief, subject to some refinements, was the most appropriate zoning outcome and directed QLDC to finalise the updated PDP provisions.¹

[3] The second decision confirmed that rezoning 19 ha to LLR and LDSR was appropriate, while 32 ha would remain Rural. The court found extending LLR zoning over a 7 ha strip logical and asked the appellants to confirm their position. The appellants agreed, and both parties saw no issue with adding 20 lots. The court directed the appellants to provide technical assessments and report back with proposed s293 directions. Additionally, the court agreed to revisit a policy on indigenous vegetation planting and required updates to the PDP provisions.²

¹ *Beresford v Queenstown Lakes District Council* [2024] NZEnvC 182.

² *Beresford v Queenstown Lakes District Council* [2024] NZEnvC 298.

The s293 proposal

[4] The appellants' memorandum³ explains that they have conducted technical assessments on the s293 proposal, focusing on transport, infrastructure, and planning.⁴ These assessments were based on an indicative subdivision layout for the Site, suggesting that extending the Large Lot Residential (A) zone could allow for up to 35 additional lots. The technical assessments indicate there are no significant road safety issues or servicing constraints for the proposed development. Suitable infrastructure, including roads, water supply, wastewater, and stormwater management, can be feasibly implemented to support up to 35 additional lots.⁵

[5] Further, the memorandum records, in reliance on the technical assessments, that Mr Jonathan Clease has prepared a planning assessment in accordance with s32AA RMA. He considers rezoning of the Remnant Area is the most appropriate way to:

- (a) achieve the objectives of the PDP and the RMA;
- (b) protect the Dublin Bay ONL;
- (c) provide an acceptable interface with adjacent reserve land;
- (d) increase housing availability and choice; and
- (e) enhance economic and social wellbeing.

³ Dated 22 January 2025.

⁴ At [2.2].

⁵ At [2.3]-[2.4].

[6] Mr Clease concludes the proposed amendments will ensure that the effects of activities within the Remnant Area are adequately addressed, no changes to the Hāwea/Wānaka Sticky Forest Structure Plan are needed, and public comment on the s293 proposal is appropriate.⁶

[7] The memorandum further records that the appellants have consulted with QLDC regarding the summary document explaining the s293 process attached to its memorandum, along with the directions sought to be issued by the court.⁷ The memorandum records that counsel for QLDC has no further comment to make on the technical assessments, the summary document or the proposed directions, and does not seek an opportunity to file any memorandum of counsel before the court makes its directions to notify the s293 proposal.⁸

[8] Having read and considered the memorandum of counsel, the proposed changes to the PDP,⁹ the technical assessments¹⁰ and the s293 proposal summary and directions set out in Annexures 1 to 2,¹¹ we are satisfied that all matters are in order for the purposes of the s293 directions.

Directions

[9] QLDC is directed to notify Annexures 1 to 2 within **10 working days** of the date of this decision in the manner described by Annexure 2.

[10] Leave is reserved to seek further (or other) directions.

⁶ At [2.6].

⁷ At [2.7]-[2.8].

⁸ At [2.9].

⁹ Memorandum of counsel, App A.

¹⁰ Memorandum of counsel, App B.

¹¹ Memorandum of counsel, App C-D.

Costs

[11] The memorandum records that the appellants are considering seeking costs against Kirimoko No. 3 Limited Partnership, and possibly QLDC. However, they consider it appropriate that any costs process be initiated following the completion of the s293 proposal to avoid overlapping deadlines. We agree. Therefore, costs are reserved.

For the court



J J M Hassan
Environment Judge



ANNEXURE 1

S293 PROPOSAL SUMMARY

Section 293 Proposal – *Beresford, Bunker & Rouse v Queenstown Lakes District Council* [2024] NZEnvC 182

Summary of alterations proposed to the mapping and provisions applying to the 'Remnant Area' part of Sticky Forest, Wānaka under the Proposed Queenstown Lakes District Plan

1 BACKGROUND

- 1.1 This document has been prepared by the Appellant and provides a summary of proposed alterations to the Proposed Queenstown Lakes District Plan (**Plan**) under section 293 of the Resource Management Act 1991 (**RMA**) as a result of directions of the Environment Court on 31 July 2024 in its first decision on *Beresford, Bunker & Rouse v Queenstown Lakes District Council* [2024] NZEnvC 182 (the **Appeal**) and on 25 November 2024 in its second decision on *Beresford, Bunker & Rouse v Queenstown Lakes District Council* [2024] NZEnvC 298.
- 1.2 The proposed alterations relate to part of a site on an elevated ridge to the north of Wānaka township, known as 'Hāwea / Wānaka Sticky Forest', comprising approximately 50ha. The site is legally described as Section 2 Sec 5 Block XIV Lower Wanaka SD (OT18C/473) (the **Site**).
- 1.3 The Appeal sought:
- (a) a combination of Lower Density Suburban Residential and Large Lot Residential – A zoning over the majority of the southern half of the Site; and
 - (b) the retention of the notified Rural zoning over:
 - (i) the 7ha western extent of the southern half of the Site (the **Remnant Area**); and
 - (ii) the northern half of the Site which is part of an Outstanding Natural Landscape (**ONL**).
- 1.4 With the exception of the Remnant Area, the Environment Court, in its First Decision, confirmed that those zones were the most appropriate outcome for the Site. In that decision, the Court also held that:
- (a) the Appellants' modified relief would:
 - (i) protect the values of the ONL;
 - (ii) have no other material landscape effects, including on landscape character; and
 - (iii) recognise and provide for the matters in ss6(b) and (e), and duly address sections 7(a), (c) and (f) and 8 of the RMA so as to assist to achieve the related intentions of the Plan;
 - (b) the landscape character for the part of the Site that is outside of the Dublin Bay ONL is predominantly of a residential suburb and the urban setting of the Site allows for its development;

- (c) the Plan does not intend that the landscape character of the Site outside the Dublin Bay ONL be maintained or that its visual amenity values be maintained or enhanced;
- (d) maintaining the Rural zoning over the Remnant Area does not serve the [Plan's] intention for Rural zoned land and is an anomaly; and
- (e) extending the Large Lot Residential – A zoning over the Remnant Area is logical and reasonably confined, and repositioning the Urban Growth Boundary (**UGB**) is similarly confined and essentially consequential on the Large Lot Residential zoning of the Remnant Area.

1.5 The Court therefore confirmed that it was appropriate, through a section 293 process, to consider rezoning the Remnant Area to Large Lot Residential - A and the consequential repositioning of the UGB to encompass that Remnant Area.

2 THE PROPOSED ALTERATIONS

2.1 The proposed alterations to the Plan as a result of this process comprise:

- (a) rezoning the 7ha Remnant Area from Rural zone to Large Lot Residential – A zone;
- (b) relocating the UGB to follow the boundary between the northern half of the Site (zoned Rural and forming part of an ONL) and the urban zoned part of the Site to the south;
- (c) removing the Rural Character Landscape (**RCL**) notation from the Remnant Area;
- (d) amending Policy 27.3.28.2 of the Plan to ensure that subdivision, development and planting on the Remnant Area integrates with and complements the existing planting/landscaping and development enabled on the Council reserve to the west of the Hāwea / Wānaka Sticky Forest Structure Plan area;
- (e) amending Rule 11.5.11 of the Plan to require the application of the recession plane standard to site boundaries within the Remnant Area fronting the Council reserve; and
- (f) introducing a new Rule 11.5.11A into the Plan which includes specific requirements for fencing on sites within the Remnant Area that is on or within 4m of the boundary with the adjoining Council reserve.

(together the **s293 Proposal**).

2.2 A map of the Site with the zoning proposed by the s293 Proposal is included at **Attachment 1**.

2.3 The Appellants confirm that, following the undertaking of assessments with respect to that Proposal:

- (a) No changes are required to the Structure Plan for the Site that is included in the Plan.
- (b) Any effects will be appropriately managed by the provisions of the Plan, as proposed to be amended by the s293 Proposal.
- (c) The Site is suitable to accommodate the rezoning of the Remnant Area.

3 SECTION 293 PROCESS AND NEXT STEPS

- 3.1 Section 293 of the RMA allows the Environment Court to, following a hearing on an appeal, direct a local authority to prepare changes to a proposed plan. The s293 Proposal would amend the Plan's planning maps insofar as they relate to the Remnant Area part of the Site, and would make changes to three provisions, and other consequential changes described in paragraph [2.1] above.
- 3.2 In this case, the Environment Court has directed that a section 293 process be used in relation to those changes.
- 3.3 This document has been prepared to accompany a notice on the Council's website and in the local newspapers, which advises of the proposed rezoning, the amendment to the UGB, changes to the provisions, and the associated directions issued by the Court.
- 3.4 The directions provide for persons to make written comments on the proposed alteration, by **[TBC]**. After all written comments are received, the Council will file a report with the Court (and evidence, as required), and the Court will then consider the matter further.
- 3.5 The directions issued by the Court at this point in time are set out below:

Under section 293 of the RMA, to enable consideration of a change from Rural Zone to a Large Lot Residential Area A Zone, an amended Urban Growth Boundary (*UGB*), changes to the provisions, and other consequential changes affecting the south western strip of land within Hāwea / Wānaka Sticky Forest (the *Remnant Area*), it is directed:

Notification

- 1) Within 20 working days of 9 April 2025, QLDC must:
 - (a) serve written notice on the owner of the property that is subject to the rezoning by way of letter to the registered ratepayer of that property;
 - (b) publicly notify the proposed rezoning, amendment to the UGB, changes to the provisions and consequential changes by way of written notice on Council's website and in the local newspapers;
 - (c) state in those written notices that:
 - (i) any person may provide to QLDC written comments and any supporting expert evidence on the change by a date specified in the notice (not less than 20 working days after publication of the notice) but that:
 - (ii) any person who wants to formally join the Beresford, Rouse and Bunker appeal as a section 274 party (see (3) below), which would give them the ability to be involved in any Environment Court hearing on the proposed change (if necessary) and future appeal rights, needs to have an interest greater than the interest of the general public;

- (d) provide a summary description of the proposed rezoning and consequential changes with the written notice; and
- (e) provide a website link to a 'consultation package' which will be available.

Rights to make written comments

- 2) By the date specified in the notice in (1)(a) and (b) (not less than 20 working days after the date of written notice), any person may provide to Council:
 - (a) written comments on the proposed rezoning and consequential changes; and
 - (b) any supporting expert evidence.

Formally joining the Beresford, Rouse and Bunker appeal as a section 274 party

- 3) By the date specified in the notice in (1)(a) and (b) (not less than 20 working days after the date of written notice), any person who has an interest greater than the general public may apply to formally join the Beresford, Rouse and Bunker appeal by lodging with the Environment Court, and serving on the Council and the Appellant, a section 274 notice. If they wish to make written comment, they must also do that under (2) above.

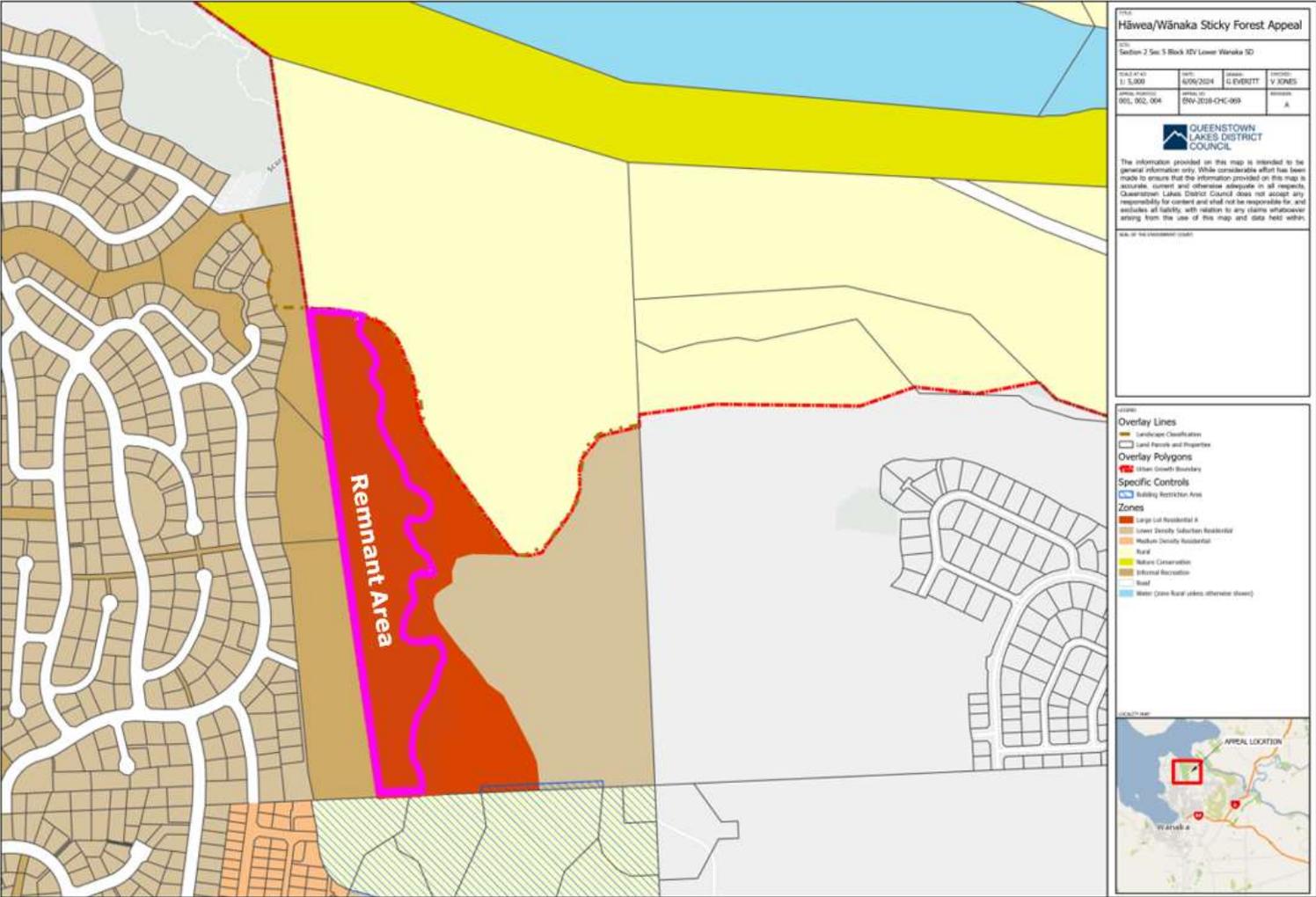
Council report

- 4) Within 30 working days after the date on which written comments are to be provided in accordance with (2), Council must file with the Court a report which:
 - (a) summarises the written comments and any expert evidence received (if any), and which also provides a link to all written comments and expert evidence received (should the Court wish to review that documentation); and
 - (b) makes recommendations for the Court's consideration.

Court's determination

- 5) Once the Court has received the report from Council as directed in (4), this will be considered and the Court will then either, determine the rezoning and consequential changes, or issue further directions.

ATTACHMENT 1: ZONING RESULTING FROM THE S293 DIRECTIONS



ANNEXURE 2

S293 DIRECTIONS

Under section 293 of the RMA, to enable consideration of a change from Rural Zone to a Large Lot Residential Area A Zone, an amended Urban Growth Boundary (*UGB*), changes to the provisions, and other consequential changes affecting the south western strip of land within Hāwea / Wānaka Sticky Forest (the *Remnant Area*), it is directed:

Notification

- 1) Within 20 working days of 9 April 2025, QLDC must:
 - (a) serve written notice on the owner of the property that is subject to the rezoning by way of letter to the registered ratepayer of that property;
 - (b) publicly notify the proposed rezoning, amendment to the UGB, changes to the provisions and consequential changes by way of written notice on Council's website and in the local newspapers;
 - (c) state in those written notices that:
 - (i) any person may provide to QLDC written comments and any supporting expert evidence on the change by a date specified in the notice (not less than 20 working days after publication of the notice) but that:
 - (ii) any person who wants to formally join the Beresford, Rouse and Bunker appeal as a section 274 party (see (3) below), which would give them the ability to be involved in any Environment Court hearing on the proposed change (if necessary) and future appeal rights, needs to have an interest greater than the interest of the general public;

- (d) provide a summary description of the proposed rezoning and consequential changes with the written notice; and
- (e) provide a website link to a 'consultation package' which will be available.

Rights to make written comments

- 2) By the date specified in the notice in (1)(a) and (b) (not less than 20 working days after the date of written notice), any person may provide to Council:
 - (a) written comments on the proposed rezoning and consequential changes; and
 - (b) any supporting expert evidence.

Formally joining the Beresford, Rouse and Bunker appeal as a section 274 party

- 3) By the date specified in the notice in (1)(a) and (b) (not less than 20 working days after the date of written notice), any person who has an interest greater than the general public may apply to formally join the Beresford, Rouse and Bunker appeal by lodging with the Environment Court, and serving on the Council and the Appellant, a section 274 notice. If they wish to make written comment, they must also do that under (2) above.

Council report

- 4) Within 30 working days after the date on which written comments are to be provided in accordance with (2), Council must file with the Court a report which:
 - (a) summarises the written comments and any expert evidence received (if any), and which also provides a link to all written comments and expert evidence received (should the Court wish to review that documentation); and

(b) makes recommendations for the Court's consideration.

Court's determination

- 5) Once the Court has received the report from Council as directed in (4), this will be considered and the Court will then either, determine the rezoning and consequential changes, or issue further directions.

