

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

**Decision No. [2024] NZEnvC 260**

IN THE MATTER of the Resource Management Act 1991

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

BETWEEN ARNOLD ANDREW MIDDLETON,  
ISABELLE GLADYS MIDDLETON,  
WEBB FARRY NOMINEES LIMITED  
& STEWARD LESLIE PARKER AS  
TRUSTEES OF THE MIDDLETON  
FAMILY TRUST

(ENV-2019-CHC-55)

Appellants

AND QUEENSTOWN LAKES DISTRICT  
COUNCIL

Respondent

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

Hearing: In Chambers on the papers

Last case event: 18 September 2024

Date of Decision: 24 October 2024

Date of Issue: 24 October 2024

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**FINAL DECISION OF THE ENVIRONMENT COURT**

**Topic 31: Middleton Family Trust – LCU 4: Tucker Beach**

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- A: Pursuant to ss 279(1)(a) and 290(2) and cl 16, Sch 1 RMA, the provisions in Appendix 1 are accepted as final for the purposes of the interim decision and QLDC is directed to amend the PDP accordingly, including in updating the planning maps. QLDC is further directed to report by memorandum once the PDP is updated.
- B: On all points of appeal in Topic 31, the appeal is allowed to the extent specified and otherwise dismissed.
- C: Under s285 RMA, there is no order as to costs.

## REASONS

### Introduction

[1] This is the final decision relating to an appeal by the Trustees of The Middleton Family Trust (‘the Middletons’) allocated to ‘Topic 31’ as part of the staged determination of appeals in the review of the Queenstown Lakes District Plan (‘PDP’). Topic 31 concerns site-specific relief pursued as to the Wakatipu Basin Rural Amenity zone (‘WBRAZ’). The WBRAZ was included in the PDP by variation. Its provisions are primarily in PDP Chs 24 (Wakatipu Basin), and 27 (Subdivision and Development).

[2] The appeal concerns the zoning of a 55.225 ha parcel (‘Site’) of Queenstown Hill Station owned by the Middletons that was proposed to be included in the WBRAZ. Schedule 24.8 includes the Site in ‘landscape character unit’ LCU:4 Tucker Beach. The interim decision<sup>1</sup> traversed the relevant background, including how the relief sought by this appeal was modified throughout the course of the proceeding.

[3] The interim decision determined that the appeal should be allowed in part

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<sup>1</sup> *Middleton v Queenstown Lakes District Council* [2024] NZEnvC 198.

to the extent that modification be made to the WBRAZ for the North-west and Lower Terraces of the Site, and that associated changes be made to Sch 24.8: LCU 4.

### **Final set of provisions and plan maps**

[4] According to directions, Queenstown Lakes District Council (“QLDC”) has filed a final set of provisions suitable for inclusion in the PDP to implement our decision.<sup>2</sup>

[5] To ensure all changes to be made to the PDP are clearly recorded, QLDC also provides:

- (a) a plan map consistent with the QLDC District Plan web mapping application format that depicts:
  - (i) the Site as WBRAZ;
  - (ii) the escarpment line on the North-west Terrace; and
  - (iii) the Building Restriction Area and escarpment line on the Lower Terrace.
- (b) a map depicting the court’s landscape capacity finding across the Site as follows:
  - (i) Upper Terrace as ‘Low’;
  - (ii) North-west Terrace as ‘Moderate-Low’; and
  - (iii) Lower Terrace as ‘Moderate-High’.

[6] QLDC advises the landscape capacity mapping will be added to the QLDC web mapping application (in other words, the PDP plan maps) when the landscape capacity mapping for all of the WBRAZ is added. It explains that it intends to do this when the court’s final decision on a Topic 31 appeal concerning land known as Waterfall Park is issued in due course.

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<sup>2</sup> QLDC memorandum dated 11 September 2024.

[7] Pursuant to cl 16(2), Sch 1 RMA, QLDC proposes for approval some minor consequential technical refinements to relevant PDP provisions.

[8] Having reviewed the final set of provisions and plan maps provided, the court is satisfied it reflects the interim decision. The court is further satisfied that the consequential technical refinements proposed are within the jurisdiction of cl 16(2) and are appropriate. Therefore, the court directs that the PDP be updated accordingly.

[9] Finally, Tucker Beach Residents Society Incorporated, the only party to have indicated an intention to seek costs, now advises that it no longer wishes to do so.<sup>3</sup> Therefore, costs will lie where they fall.

### **Directions**

[10] Pursuant to ss 279(1)(a) and 290(2) and cl 16, Sch 1 RMA, the provisions in Appendix 1 are accepted as final for the purposes of the interim decision, and QLDC is directed to amend the PDP accordingly, including in updating the planning maps. QLDC is further directed to report by memorandum once the PDP is updated.

[11] On all points of appeal in Topic 31, the appeal is allowed to the extent specified and otherwise dismissed.

[12] Under s285 RMA, there is no order as to costs.

For the court



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**J J M Hassan**  
**Environment Judge**

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<sup>3</sup> Email of Rosie Hill to the registry (18 September 2024).

**Appendix 1**

Agreed plan provisions for incorporation into Chs 24, 27, and Sch 24.8 of the  
Proposed District Plan.

## CHANGES TO CHAPTERS 24, 27 AND LCU4 CONFIRMED IN DECISION

Marked up against the current PDP:

### Policies

24.2.1.5 Ensure the following outcomes in the consideration of any proposal for subdivision or residential development:

- a. In LCU 4 described in Schedule 24.7 as the ‘Tucker Beach Road West Lower Terrace and Northwestern Terrace’ areas:
  - i. maintain a predominant sense of rural character, recognising the transitional role the site plays to the Outstanding Natural Landscape mountain context and the Kimiākau (Shotover River) Outstanding Natural Feature; and
  - ii. minimise the visibility of development from:
    - a. The Shotover River, Tucker Beach Road, Tucker Beach Reserve, Hansen Road, Littles Road, Domain Road; and
    - b. the Queenstown Trail and the Fitzpatrick Road Trail link.

<p><b>24.5.1.6</b></p>	<p>Any site located within a Landscape Character Unit or area identified on the District Plan web mapping application a maximum of one residential unit per net site area and average area:</p> <p>24.5.1.6.1 <u>LCU 4 limited to the area identified as the Tucker Beach Road West Lower Terrace area: 7,000m<sup>2</sup> and 1.5 ha average.</u></p> <p>24.5.1.6.2 <u>LCU 4 limited to the area identified as the Tucker Beach Road West Northwestern Terrace area: 4000m<sup>2</sup> and 2ha average.</u></p> <p>24.5.1.6.3 ....</p>	<p>NC</p>
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<p><b>24.5.10</b></p>	<p><b>Setback from Escarpment, Ridgeline and River Cliff Features</b></p> <p>24.5.10.1 Within the Lifestyle Precinct only, any building or vehicle access shall be located a minimum of 50m from the boundary of any Escarpment, Ridgeline or River Cliff Feature shown on the District Plan web mapping application.</p> <p>24.5.10.2 <u>Outside of the Lifestyle Precinct and within the Tucker Beach Road West Lower Terrace area, buildings shall be set back a minimum of 50m from the boundary of the Escarpment Feature shown on the District Plan web mapping application.</u></p> <p>24.5.10.3 <u>Outside of the Lifestyle Precinct and within the Tucker Beach Road West Northwestern Terrace area, buildings shall be set back a minimum of 100m from the boundary of the Escarpment Feature shown on the District Plan web mapping application.</u></p> <p>24.5.10.4 Rules 24.5.10.1 to 24.5.10.3 does not apply to the construction of buildings for residential activity pursuant to Rule 24.4.5.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Building location, character, scale and form;</li> <li>b. External appearance including materials and colours;</li> <li>c. Landform modification/planting (existing and proposed).</li> </ul>
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## Chapter 27 Subdivision and Development

27.5.19A	<p>Subdivision of any site within the Wakatipu Basin Rural Amenity Zone (outside the Lifestyle Precinct) where located within the following areas identified on the district plan web mapping application:</p> <ul style="list-style-type: none"> <li>a. <u>LCU 4 limited to the area identified as the Tucker Beach Road West Lower Terrace and Northwestern Terrace areas.</u></li> <li>b. LCU 6 limited to the area identified as Hunter Road West</li> <li>c. <i>This has been left intentionally blank</i></li> <li>d. <i>This has been left intentionally blank</i></li> <li>e. LCU 12 limited to the areas identified as Hogans Gully Road South</li> <li>f. LCU 15 Hogans Gully (entire LCU excluding Hogans Gully Resort Zone)</li> <li>g. LCU 22 Hills (entire LCU)</li> <li>h. <i>This has been left intentionally blank</i></li> <li>i. <i>This has been left intentionally blank</i></li> <li>j. LCU 24 South Arrowtown</li> </ul>	D
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### 27.6 Rules - Standards for Minimum Lot Areas

#### 27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.

(Note: in the Large Lot Residential A zone, the minimum or average lot size shall be determined by total area, not net site area)

Zone		Minimum Lot Area
	Wakatipu Basin Rural Amenity Zone	80ha
	Within the following areas of the Wakatipu Basin Rural Amenity Zone identified on the district plan web mapping application the minimum net site area and the average area of all lots in the subdivision is not less than:	
	<u>LCU 4 limited to the area identified as the Tucker Beach Road West Lower Terrace area</u>	<u>7,000m<sup>2</sup> minimum and 1.5 ha average</u>
	<u>LCU 4 limited to the area identified as the Tucker Beach Road West Northwestern Terrace area</u>	<u>4000m<sup>2</sup> minimum and 2 ha average</u>



Zone		Minimum Lot Area
	LCU 6 limited to the area identified as Hunter Road West	6,000m <sup>2</sup> minimum and 5ha average
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	<i>This has been left intentionally blank</i>	<i>This has been left intentionally blank</i>
	LCU 12 limited to the area identified as Hogans Gully Road South	6,000m <sup>2</sup> minimum and 2ha average
	LCU 15 Hogans Gully (entire LCU excluding Hogans Gully Resort Zone)	4ha minimum and 6ha average
	LCU 22 The Hills (entire LCU)	3ha minimum and 4ha average
	<i>This has been left intentionally blank</i>	<i>This has been left intentionally blank</i>
	<i>This has been left intentionally blank</i>	<i>This has been left intentionally blank</i>
	LCU 24 South Arrowtown	1ha minimum and 3ha average

## 27.7 Zone - Location Specific Rules

27.7.19	<p><b>Wakatipu Basin Rural Amenity Zone</b>  <b>Setback from Escarpment, Ridgeline and River Cliff Features</b></p> <p><b>27.7.19.1</b> Within the Lifestyle Precinct only, any building platform identified through subdivision, or vehicle access shall be located a minimum of 50m from the boundary of any Escarpment, Ridgeline or River Cliff Feature shown on the District Plan web mapping application.</p> <p><b>27.7.19.2</b> <u>Outside of the Lifestyle Precinct and within the Tucker Beach Road West Lower Terrace area, buildings shall be set back a minimum of 50m from the boundary of the Escarpment Feature shown on the District Plan web mapping application.</u></p> <p><b>27.7.19.3</b> <u>Outside of the Lifestyle Precinct and within the Tucker Beach Road West Northwestern Terrace area, buildings shall be set back a minimum of 100m</u></p>	RD
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	<p><u>from the boundary of the Escarpment Feature shown on the District Plan web mapping application.</u></p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"><li>a. Building platform location as it relates to any Escarpment, Ridgeline or River Cliff Feature shown on the District Plan web mapping application;</li><li>b. Scale of buildings;</li><li>c. Landform modification and earthworks;</li><li>d. Landscaping/planting (existing and proposed).</li></ul>	
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## Schedule 24.8 Landscape Character Units

Landscape Character Unit	4: Tucker Beach
<b>Landform patterns</b>	<p>Flat alluvial river terraces and shelves of varying width that are interspersed with, and transition into elevated steeper slopes around the flanks of Ferry Hill roche moutonnée i.e. throughout the central and eastern end of the unit.</p> <p><u>Sequence of glacial and alluvial river terraces separated by bold and largescale escarpments on the western side of Sugar Loaf (ONL)</u></p> <p>i.e. the western end of the unit. Terraces form three distinct areas: upper terrace, northwest and lower terrace. <del>edged and interspersed by steep hill slopes with steep river cliffs along northern edge.</del></p>
<b>Vegetation patterns</b>	<p>Predominantly exotic vegetation and scrub throughout the steep river cliffs (outside of the LCU), <u>stream gullies and some escarpment/</u> and hill slopes.</p> <p>Exotic amenity plantings around dwellings <u>and farm buildings.</u></p> <p>Scattered shade trees and scrub in places, with mown grass and grazed areas evident (<u>particularly at the western end of the unit</u>).</p>
<b>Hydrology</b>	<p><del>The streams drain</del> <u>Streams draining</u> from Ferry Hill/Lake Johnson environs into <u>and across</u> the unit.</p>
<b>Proximity to ONL/ONF</b>	<p><del>Adjacent ONL (WB) of the Shotover River and mountain landform (Ferry Hill environs) to the south.</del></p> <p><u>Adjacent Kimiākau (Shotover River) ONF and Ferry Hill/Queenstown Hill ONL.</u></p>
<b>Character Unit boundaries</b>	<p>North: <u>Kimiākau (Shotover River) ONF vegetation clad cliffs/ONL.</u></p> <p>East: Quail Rise urban area.</p> <p>South: ONL/study area boundary.</p> <p>West: ONL/study area boundary.</p>

Landscape Character Unit	4: Tucker Beach
<b>Land use</b>	Rural residential with some working rural uses evident throughout the land at the western end <u>and the central southern area</u> of the unit. A <del>substantial</del> portion of the undeveloped land at the western end of the unit is in DoC ownership.
<b>Settlement patterns</b>	Generally, dwellings and platforms positioned to enjoy highly attractive views of Shotover River and the ONL mountain backdrop. Numerous consented but unbuilt platforms (20). Typical lot size: <ul style="list-style-type: none"> <li>• central and eastern end of the unit &lt; 4ha (with the odd larger lot: 20-50ha);</li> <li>• western end of the unit: <u>held in single ownership</u> <del>± over 500ha</del>.</li> </ul> The Lifestyle Precinct Zoning anticipates change to the existing settlement pattern in the central portion and eastern end of the Unit (albeit limited by the building restriction area).
<b>Proximity to key route</b>	Accessed via a dead - end road.
<b>Heritage features</b>	No buildings / features identified in PDP.
<b>Recreation features</b>	<u>Kimiākau Shotover Gorge Trail traverses the Tucker Beach Scenic Reserve (DoC) and crosses Kimiākau (Shotover River) within and adjacent the western portion of the unit.</u> <u>Fitzpatrick Road Trail Link opposite the western end of the unit.</u> <del>No walkways / cycleways etc. through the area.</del> Substantial DoC reserve land within the central / western portion of the unit.
<b>Infrastructure features</b>	Reticulated water and (some) stormwater / sewer throughout central and <u>eastern</u> <del>western</del> end of the unit. <del>Western end - no reticulated services.</del>

Landscape Character Unit	4: Tucker Beach
<b>Visibility/prominence</b>	<p>The containment of the hill slopes to the south means that visibility is limited to the Shotover corridor, the river terraces to the south, and the upper reaches of Fitzpatrick Basin / Dalefield.</p> <p>The lower lying central and northern portions of the unit <u>and the lower terrace at the western end of the unit</u> are not prominent within the wider basin landscape.</p> <p>The elevated hill slopes along the south edge of the unit, <u>and the upper terrace and northwest terrace at the western end of the unit</u> are locally prominent.</p>
<b>Views</b>	<p>The unit affords attractive mid-range views along the river (ONF), and to the wider ONL mountain and hill context.</p>
<b>Enclosure/openness</b>	<p>A varying sense of openness within the unit as a consequence of vegetation patterns.</p> <p>Overall, the large-scale landforms framing the local area (particularly to the south) contribute a sense of containment.</p>
<b>Complexity</b>	<p>Steep slopes, <u>escarpments</u> and plantings provide localised complexity in places.</p>
<b>Coherence</b>	<p>A relatively low level of coherence as a consequence of varying landform and vegetation patterns.</p>
<b>Naturalness</b>	<p>A moderate sense of naturalness throughout the western end of the unit as a consequence of the limited level of built development, its proximity to <del>the</del> <u>Kimiākau (Shotover River)</u> and its position adjacent an undeveloped ONF/L <del>area</del>.</p> <p>The central and eastern end of the unit is considerably more developed and therefore has a lower perception of naturalness <u>which is R</u>reinforced by the close proximity of Quail Rise.</p>
<b>Sense of Place</b>	<p>Generally the unit reads as <u>being close to, but sitting above, a part of the Kimiākau (Shotover River) margins</u> with a continuous sleeve of rural living as one moves westwards away from Quail Rise towards the DoC Reserve.</p> <p><u>At the western end of the unit, the ‘undeveloped’ nature of the upper, northwest, and lower terraces means that they form an attractive rural bookend to the rural living pattern and create a sympathetic transition to the undeveloped mountain context. The bold escarpment landforms and elevated terrace plateaus are highly expressive of the landscape’s formative processes. The strong connection of this area to the undeveloped mountain context, river corridor and DoC Reserve contributes a sense of remoteness and wildness.</u></p>

Landscape Character Unit	4: Tucker Beach
<p><b>Potential landscape issues and constraints associated with additional development</b></p>	<p>Relatively open, exposed and undeveloped nature of the <u>upper and northwest terraces (including their escarpment landforms)</u> and the northwestern tip of the lower terrace in the western portion of the unit, <del>within</del> <u>adjacent to an extremely high value landscape context dominated by ONF/Ls and including a substantial near DoC Reserve/public trails,</u> makes <del>it</del> <u>these areas</u> highly sensitive to <u>landscape-development</u> change.</p> <p>Absence of defensible boundaries to existing rural residential and urban zones in the vicinity, make the central and eastern portions of the unit in particular, vulnerable to development creep. The area where the Lifestyle Precinct meets the ONF boundary (at the eastern end of the unit) is also vulnerable to development creep, and so a Building Restriction Area has been included on the web mapping application to protect the more sensitive upper slopes.</p> <p>Visibility of the development throughout the elevated slopes along the southern edge of the unit <u>and across the lower terrace at the western end of the unit.</u></p>
<p><b>Potential landscape opportunities and benefits associated with additional development</b></p>	<p>Close proximity to Queenstown.</p> <p>Relatively contained nature of location.</p> <p>Riparian restoration potential.</p> <p>Potential for integration of walkways/cycleways etc. associated with riverscape <u>and linking to Lake Johnson.</u></p> <p>Integration of defensible edges with additional subdivision.</p> <p>Integrating effect of existing development context throughout eastern end of the unit in particular.</p> <p>Easy topography along central and northern portion of the unit <u>and parts of the western end of the unit.</u></p> <p>Close proximity of urban infrastructure.</p> <p>Potential for additional development to secure the protection and on-going management of existing exotic and indigenous vegetation, and assist the visual integration of development throughout the <del>central and eastern end of the</del> unit by grounding, filtering and screening built development.</p>

**Environmental characteristics and visual amenity values to be maintained and enhanced**

Sense of (relative) remoteness and connection with the riverscape and surrounding mountains at the western end of the unit.

Landform features and patterns (including escarpments), watercourse and vegetation features.

Integration of buildings, accessways and earthworks via planting throughout the central and eastern end of the unit.

Buildings should be positioned to optimise the screening effect of existing landform and vegetation features and set well back from the front edges of terraces.

Maintaining the impression of a spacious and predominantly rural transition from rural living to undeveloped ONF/L across the western end of the unit in views from: the Kimiākau (Shotover River) corridor; the Kimiākau Shotover Gorge Trail; the Fitzpatrick Road Trail Link; Tucker Beach Scenic Reserve; Tucker Beach Road; Hansen Road; Littles Road; Domain Road; Moorhill Road; and the rural living properties to the east and north of the western end of the unit.

Maintaining a sense of openness in views from Tucker Beach Road to the Shotover River corridor and surrounding ONL mountain context. Maintaining a sense of openness throughout the elevated land between the Lifestyle Precinct and adjacent ONL (to the south).

Maintaining a sense of openness and naturalness throughout the elevated land in the central and eastern end of the unit adjacent to the ONF (to the south).

A Building Restriction Area (BRA) has been applied to Lifestyle Precinct zoned land at the eastern end of the unit as shown on the web mapping application. The purpose of this BRA is to prevent development creep up the more elevated, and sensitive, slopes of this part of the Lifestyle Precinct, and to maintain the visual integrity of Ferry Hill ONF.

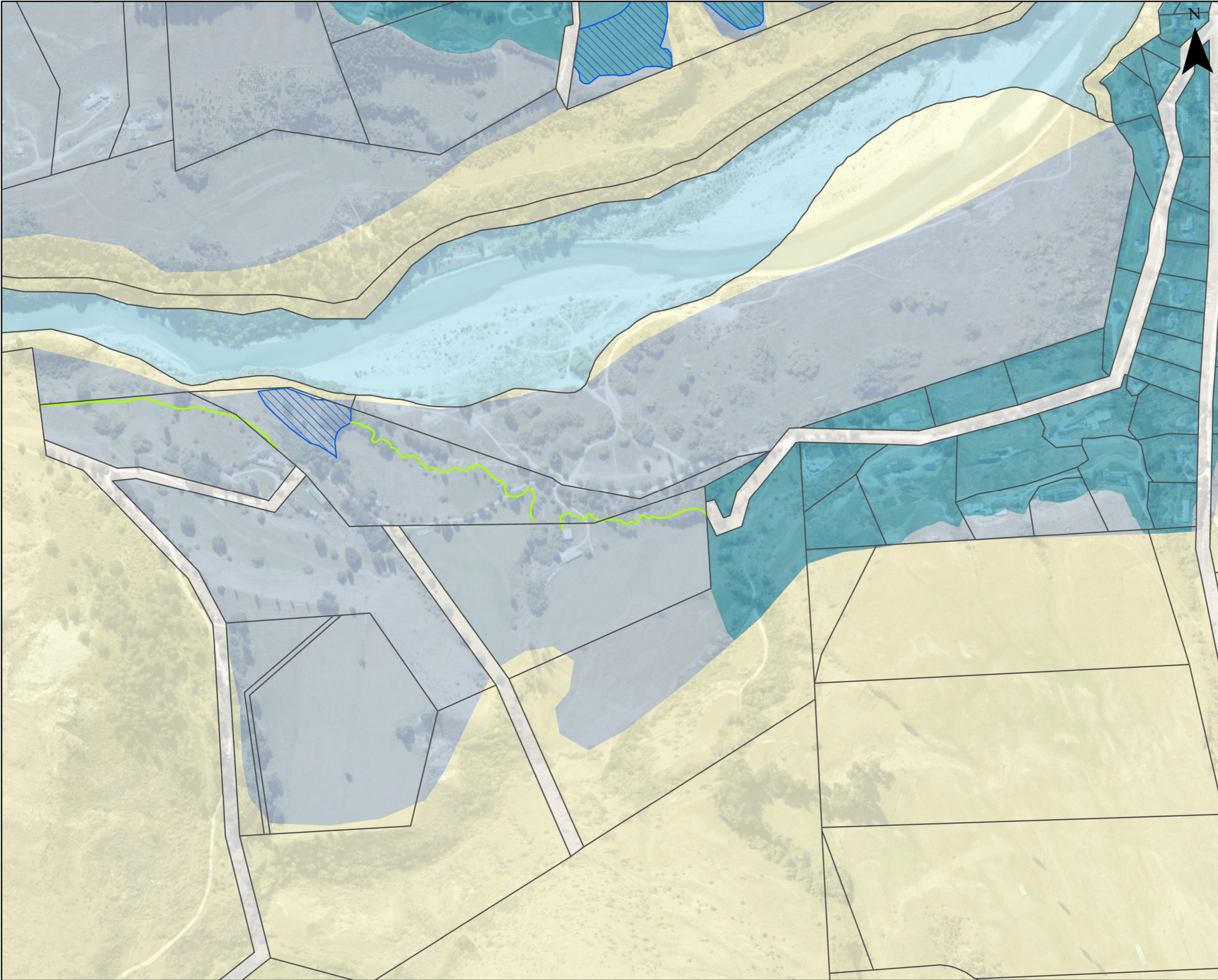
A BRA is applied to land in the foreground of the Tucker Beach Road West Lower Terrace area. The purpose of this BRA is to avoid visually prominent buildings as viewed from public places, including the Fitzpatrick Road Trail bridge.

Landscape Character Unit	4: Tucker Beach
	<p>Within the Lifestyle Precinct zoned land in the eastern end of the unit (above the 400m contour, but below the BRA), built development is encouraged to adopt the following design methods or characteristics:</p> <ul style="list-style-type: none"> <li>• Reduced building coverage, bulk and height from that provided by the provisions applying to the Lifestyle Precinct, and adoption of design controls, that take account of the elevation and increased sensitivity of the area. This includes an encouragement of single storey buildings;</li> <li>• Buildings designed to sit 'into' the landform (rather than 'perched on' it), including through sensitive earthworks.</li> <li>• The retention, protection and on-going management of existing exotic and indigenous vegetation features to assist the visual integration of built development in longer range views from the north and north east.</li> <li>• Retaining walls visible post development from public places limited to a maximum of 1.2m high, with planting used to soften retaining structures where greater level changes are required.</li> </ul>
<p><b>Capacity to absorb additional development</b></p>	<p><b>Very low:</b> Precinct zoned land at the eastern end of the unit where a Building Restriction Area applies.</p> <p><b>Low:</b></p> <ul style="list-style-type: none"> <li>• <u>Except as provided below, the western portion of the unit; and</u></li> <li>• In the Central portion of the unit: <ul style="list-style-type: none"> <li>• above the 400m contour;</li> <li>• that corresponds to the undeveloped <del>low lying river</del> terraces and <u>escarpments</u> along the northern side of the unit and adjacent to the river.</li> </ul> </li> </ul> <p><b>Moderate-Low:</b> <u>Tucker Beach Road West: Northwestern Terrace as identified on the District Plan web mapping application.</u></p> <p><b>Moderate-High:</b></p> <ul style="list-style-type: none"> <li>• <u>Tucker Beach Road West: Lower Terrace as identified on the District Plan web mapping application; and</u></li> <li>• <u>the Precinct Zoned land</u> throughout the balance of the central and eastern end of the unit.</li> </ul>



**Appendix 2**

Planning Map depicting the Site as WBRAZ, the escarpment line on the North-West Terrace, and the Building Restriction Area and escarpment line on the Lower Terrace.



**TITLE:**  
Middleton Family Trust Appeal

**SITE:**  
Section 44 Block XXI Shotover SD, Section 61 Block XXI Shotover SD,  
Section 24 Block XXI Shotover SD, Section 41 Block XXI Shotover SD,  
Section 40 Block XXI Shotover SD

<b>SCALE AT A3:</b> 1 : 5,000	<b>DATE:</b> 10/09/2024	<b>DRAWN:</b> G EVERITT	<b>CHECKED:</b> B GILBERT
<b>APPEAL POINT(S):</b> 001, 002, 003	<b>APPEAL ID:</b> ENV-2019-CHC-055	<b>REVISION:</b> B	



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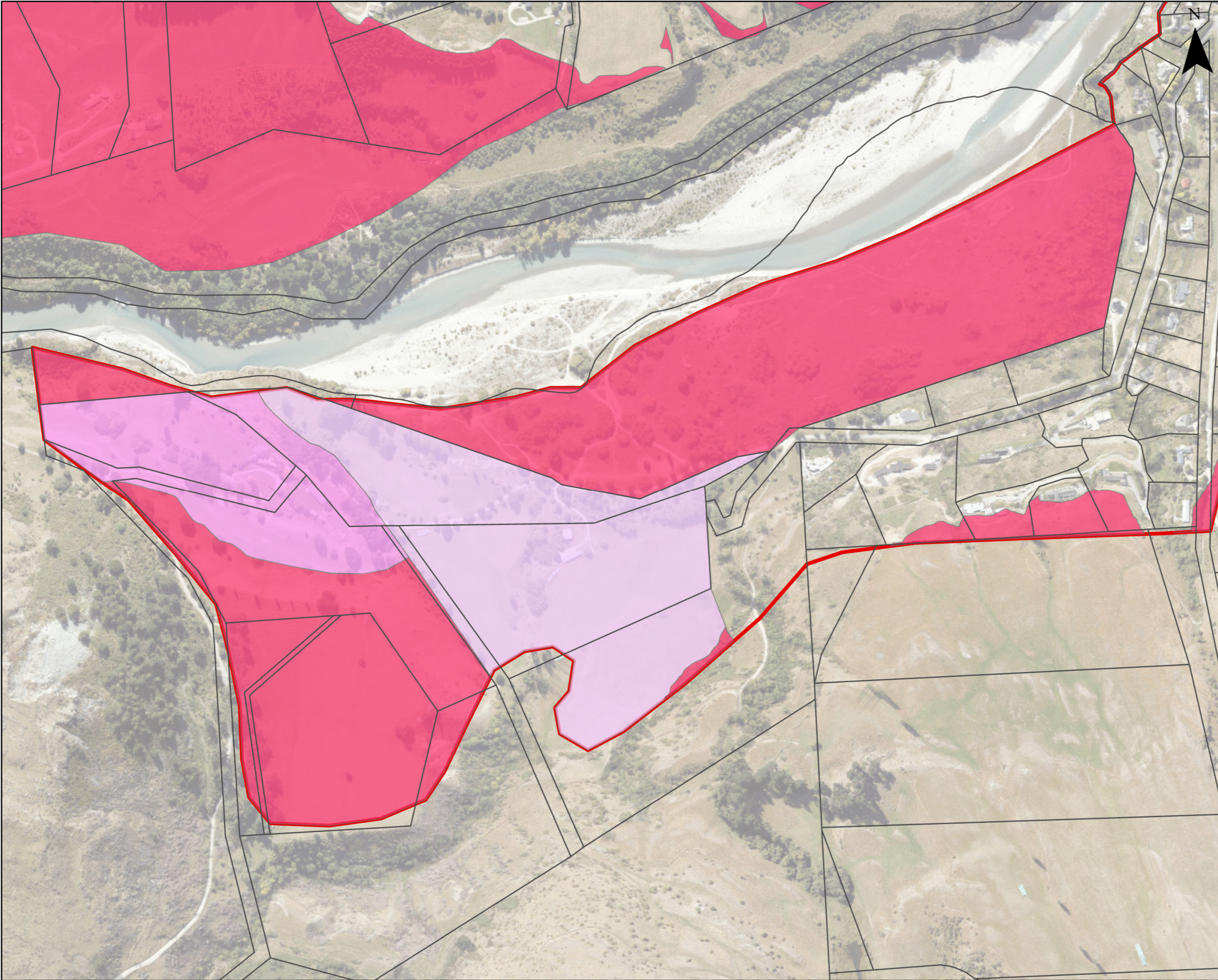
SEAL OF THE ENVIRONMENT COURT:

- LEGEND:**
- Land Parcels and Properties
- Specific Control Lines**
- ControlType
  - - Jet Ski Limitation Area
  - Escarpment, Ridgeline and River Cliff Features
  - Surface Water and Queenstown Trail Annotations
- Specific Controls**
- Control Type
- Building Restriction Area
  - Specific Provisions Apply
  - Moderate to High Landscape Sensitivity Area
  - High Landscape Sensitivity Area
  - Flood Zone
  - Town Centre Transition Overlay
  - Water Transport Infrastructure Overlay
  - Lake Hayes Catchment - ORC
- Zones**
- Rural
  - Wakatipu Basin Lifestyle Precinct
  - Wakatipu Basin Rural Amenity Zone
  - Road
  - Water (zone Rural unless otherwise shown)



**Appendix 3**

Map depicting the court's findings on landscape capacity across the Site.



**TITLE:**  
Middleton Family Trust Appeal

**SITE:**  
Section 44 Block XXI Shotover SD, Section 61 Block XXI Shotover SD,  
Section 24 Block XXI Shotover SD, Section 41 Block XXI Shotover SD,  
Section 40 Block XXI Shotover SD

<b>SCALE AT A3:</b> 1 : 5,000	<b>DATE:</b> 10/09/2024	<b>DRAWN:</b> G EVERITT	<b>CHECKED:</b> B GILBERT
<b>APPEAL POINT(S):</b> 001, 002, 003	<b>APPEAL ID:</b> ENV-2019-CHC-055	<b>REVISION:</b> B	



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SEAL OF THE ENVIRONMENT COURT:

- LEGEND:**
- Land Parcels and Properties
  - DV LCU boundaries
- Wakatipu Basin Landscape Capacity**
- High
  - Moderate High
  - Moderate
  - Moderate Low
  - Low
  - Very Low

