

IN THE ENVIRONMENT COURT
AT CHRISTCHURCH

I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI

IN THE MATTER of the Resource Management Act 1991

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

BETWEEN REAL JOURNEYS LIMITED

(ENV-2018-CHC-131)

REAL JOURNEYS LIMITED
(TRADING AS GO ORANGE
LIMITED)

(ENV-2018-CHC-138)

Appellants

... (continued on separate page)

AND QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 09 JUL 2021

CONSENT ORDER

A: Under s279(1)(b) of the Resource Management Act 1991, the Environment
Court, by consent, orders that the listed appeals are allowed to the extent



that Queenstown Lakes District Council is directed to make the amendments to the provisions shown in Appendix 1 to this order (concerning Chapter 36) and any consequential amendments to the numbering of provisions or to the relevant planning maps resulting from those amendments.

- B: The appeals remain otherwise extant.
- C: Under s285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] These proceedings concern four appeals by Real Journeys Limited,¹ and others² against parts of a decision of the Queenstown Lakes District Council regarding provisions of Chapters 36 (Noise), 12 (Queenstown Town Centre Zone) and 2 (Definitions) of the Proposed Queenstown Lakes District Plan. The appeals were allocated to Stage 2, Topic 33 Vessels.

[2] The court has now read and considered the consent memorandum of the parties dated 21 May 2021 which proposes to finally determine two of the appeal points allocated to this topic. The parties have advised the remaining appeal points will no longer be pursued with the exception of that by Queenstown Wharves GP Limited³ which remains to be resolved at a later date.

Appeal points resolved without amendment to plan provisions

[3] In light of the agreement endorsed by these orders, the parties to the

¹ ENV-2018-CHC-131.

² ENV-2018-CHC-138 Real Journeys (trading as Go Orange Limited); ENV-2018-CHC-142 Queenstown Wharves GP Limited; ENV-2019-CHC-76 Wayfare Group Limited.

³ ENV-2018-CHC-142-009.



following appeal points allocated to Topic 33 are dismissed:

Appeal point allocated reference	Appealed provision
ENV-2018-CHC-131-048	Policy 12.4.8.2
ENV-2018-CHC-138-027	Policy 12.4.8.2
ENV-2019-CHC-076-014	The definition of public water ferry service

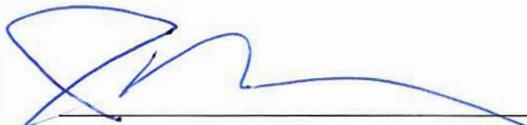
Other relevant matters

[4] A number of parties expressed an intention to become a party to these appeals under s274 of the Resource Management Act (“the RMA”). Of those, seven had interests in the provisions and matters included in the subject of this order and have signed the memorandum setting out the relief sought.

Outcome

[5] The court makes this order under s279(1) RMA, such order being by consent, rather than representing a decision or determination on the merits pursuant to s297. The court understands for present purposes that:

- (a) all parties to the proceeding have executed the memorandum requesting this order; and
- (b) all parties are satisfied that all matters proposed for the court’s endorsement fall within the court’s jurisdiction and conform to the relevant requirements and objectives of the RMA including, in particular, pt 2.


J J M Hassan
 Environment Judge



List of Appellants

ENV-2018-CHC-142	Queenstown Wharves GP Limited
ENV-2019-CHC-76	Wayfare Group Limited



Appendix A

(amendments shown in underline)

Noise

...

36.5 Rules – Standards

...

Table 3: Specific Standards

...

36.5.14	<p>Commercial Motorised Craft (excluding public water ferry services <u>and the TSS Earnslaw</u>)</p> <p>Sound from motorised craft must be measured in and assessed in accordance with ISO 2922:2000 and ISO 14509-1:2008.</p>	...
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