

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

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

IN THE MATTER of the Resource Management Act 1991
AND of an appeal under Clause 14 of the First
Schedule of the Act
BETWEEN RICHARD AND JANE BAMFORD
(ENV-2019-CHC-53)
Appellant
AND QUEENSTOWN LAKES DISTRICT
COUNCIL
Respondent

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

In Chambers at Christchurch

Date of Consent Order: 5 February 2021

CONSENT ORDER

A: Under s279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the appeal is allowed, and Queenstown Lakes District Council is directed to rezone the part of the land at 52 Judge and Jury Drive (Lot 17 DP 445230) shown with a blue outline on the Plan, to Lower Density Suburban Residential zone as set out in Appendix A, attached to and forming part of this order.
- (2) the appeal is otherwise dismissed.

B: Under s285 of the Resource Management Act 1991, there is no order as to costs.



REASONS

Introduction

[1] This proceeding concerns an appeal by Richard and Jane Bamford against parts of a decision of the Queenstown Lakes District Council on the Proposed Queenstown Lakes District Plan – Stage 2. The appeal was allocated in part to Topic 31 – Wakatipu Basin rezoning, (Subtopic 7 – Ladies Mile). In particular it relates to the rezoning of part of the site at 52 Judge and Jury Drive, legally described as Lot 17 DP 445230.

[2] The court has now read and considered the consent memorandum of the parties dated 25 November 2020 which proposes to resolve the appeal by rezoning the part of the property located within the Urban Growth Boundary from Rural Zone to Lower Density Suburban Residential zone.

Other relevant matters

[3] Queenstown Airport Corporation Limited gave notice of an intention to become a party to the appeal under s274 of the Resource Management Act 1991 ('the RMA') but subsequently withdrew its interest.

[4] No other person has given notice of an intention to become a party under s274 of the RMA.


Orders

[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 proceedings have executed the memorandum [unless stated otherwise for specific reasons] requesting this order;



- (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.

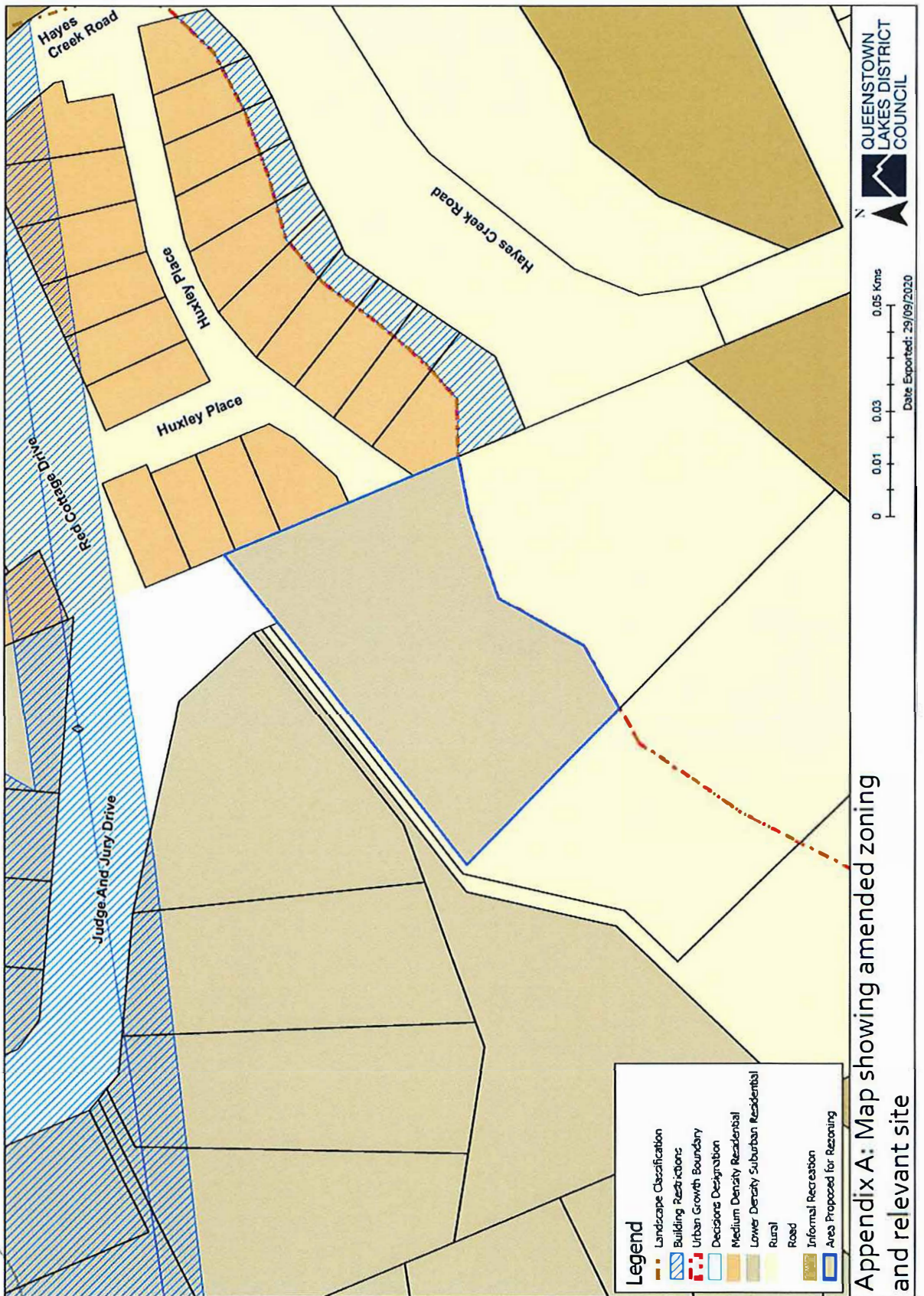


J J M Hassan

Environment Judge



APPENDIX A – Plan showing amended rezoning and Appeal Area



Appendix A: Map showing amended zoning and relevant site

