

**BEFORE THE ENVIRONMENT COURT  
I MUA I TE KOOTI TAIAO O AOTEAROA**

IN THE MATTER of the Resource Management Act 1991  
AND of an appeal under clause 14 of Schedule 1  
of the Act  
BETWEEN MILLBROOK COUNTRY CLUB LIMITED  
(ENV-2017-CHC-89)  
Appellant  
AND QUEENSTOWN LAKES DISTRICT  
COUNCIL  
Respondent

Environment Judge J R Jackson – sitting alone pursuant to section 279 of the Act

In Chambers at Christchurch

Date of Consent Order: 16 March 2018

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**CONSENT ORDER**

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A: Under section 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the appeal is allowed to the extent that the Queenstown Lakes District Council is directed to amend rule 43.5.12 of the proposed Queenstown Lakes District Plan as follows:

**43.5.12 Golf Course Development**

Development of: ~~residential units in the South Dalglish part of the zone or~~

- a. more than 27 holes of golf without prior certification by the Council of the ~~implemented plans for the Gully Planting Overlay, Open Planting Overlay~~ Earthworks Mounding Overlay, and Amenity Landscaping areas (refer Rule 43.4.16); or



b. residential units in the South Dalglish part of the zone without prior certification by the Council of the implemented plans for the Gully Planting Overlay, Open Planting Overlay, Earthworks Mounding Overlay and Amenity Landscaping areas (refer Rule 43.4.16).

(2) the appeal is otherwise dismissed.

B: Under section 285 of the Resource Management Act 1991, there is no order as to costs.

## **REASONS**

### **Introduction**

[1] This proceeding concerns an appeal by Millbrook Country Club Limited against a decision of the Queenstown Lakes District Council in relation to rule 43.5.12 of the decisions version of Chapter 43: Millbrook Resort Zone of the Queenstown Lakes District Council's Proposed District Plan.

[2] The court has now read and considered the consent memorandum of the parties dated 5 March 2018 which proposes to resolve the appeal.

### **Other relevant matters**

[3] X-Ray Trust Limited has given notice of an intention to become a party under section 274 of the Resource Management Act ("the RMA" or "the Act") and has signed the memorandum setting out the relief sought.

### **Orders**

[4] The court is making this order under section 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;



- (b) all parties are satisfied that all matters proposed for the court's endorsement fall within the court's jurisdiction and achieve the purpose of the Act including, in particular, Part 2.



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**J R Jackson**  
**Environment Judge**

