

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

IN THE MATTER of the Resource Management Act 1991

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

BETWEEN MARK AND JANE TAYLOR

(ENV-2019-CHC-093)

Appellant

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: 7 September 2021

CONSENT ORDER

A: Under s279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that the appeal is allowed, and Queenstown Lakes District Council is directed to amend the zoning maps of the Proposed Queenstown Lakes District Plan by rezoning the land at Lot 1 DP 349040 from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct and to apply a Building Restriction Area to the rezoned area above the 380 masl contour, as set out in Appendix 1, attached to and forming part of this order.



B: The appeal is otherwise dismissed.

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

REASONS

Introduction

[1] This proceeding concerns an appeal¹ by Mark and Jane Taylor against part of a decision of the Queenstown Lakes District Council regarding the planning maps and provisions of the Proposed Queenstown Lakes District Plan – Stage 2. The relief seeking rezoning of the land at 418 Speargrass Flat Road² was allocated as Topic 31 (Rezoning) subtopic 3 – Lake Hayes Appeals, Group 1 (Rural Residential Zone).³

[2] I have read and considered the consent memorandum of the parties dated 23 August 2021 which proposes to resolve the appeal.

Other relevant matters

[3] Two parties gave notice of an intention to become a party to the appeal under s274 of the Resource Management Act ('the RMA'). Jessica Wilkinson and John Thomssen withdrew their interest in the proceeding. Otago Regional Council has signed the memorandum setting out the relief sought.

Outcome

[4] The court makes this order under s279(1) RMA, such order being by

¹ ENV-2019-CHC-93.

² Legally described as Lot 1 DP 349040.

³ The appeal also sought amendments to Chs 24 and 27. Those appeal points were allocated to Topic 30 (Wakatipu Basin text) and were later withdrawn by memorandum dated 21 July 2020.

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 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



APPENDIX 1**Zoning amendment**

The site at Lot 1 DP 349040 is to be rezoned from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct.

A Building Restriction Area is to be applied to the rezoned area above the 380 masl contour, as depicted on the attached map.



