

**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 the First
Schedule of the Act
BETWEEN ASPIRING LIFESTYLE RETIREMENT
VILLAGE LIMITED
(ENV-2018-CHC-111)
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: 9 August 2019

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 to the extent that the Queenstown Lakes District Council is directed to amend Map 23 of the Proposed Queenstown Lakes District Plan, rezoning the triangle of land marked “A” in Appendix 1 (attached to and forming part of this Order) from Large Lot Residential A Zone to Lower Density Suburban Residential Zone;
- (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 Aspiring Lifestyle Retirement Village Limited against part of a decision of the Queenstown Lakes District Council on Map 23 of the proposed Queenstown Lakes District Plan – Stage 1. In particular, it relates to Topic 16 (Rezoning Appeals).

[2] The court has now read and considered the consent memorandum of the parties dated 2 May 2019, which proposes to resolve this appeal.

Other relevant matters

[3] No person has given notice of an intention to become a party under s274 of the Resource Management Act ('the RMA').

[4] Other consent orders which have been filed in relation to the proposed district plan are being held in abeyance. The court is satisfied that these orders are able to be made at this time since the appeal involves a discrete issue which will not impact on other proposed plan appeals before the court.

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 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



