

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

Decision No. [2022] NZEnvC 134

IN THE MATTER of the Resource Management Act 1991

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

BETWEEN CARDRONA ALPINE RESORT
LIMITED

(ENV-2018-CHC-117)

ANDERSON BRANCH CREEK
LIMITED

(ENV-2018-CHC-120)

Appellants

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: 25 July 2022

CONSENT ORDER

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

QLDC – PDP – TOPIC 19 – CARL & ABCL v QLDC – CONSENT ORDER



- (1) the appeal is allowed, and Queenstown Lakes District Council is directed to:
 - (a) amend the planning maps and the provisions of Chapter 21 (Rural Zone) as set out in Appendices 1 and 2, attached to and forming part of this consent order; and
 - (b) make any consequential changes or corrections to the numbering of plan provisions or to the relevant planning maps resulting from the above amendments.
- (2) the appeal point, ENV-2018-CHC-117-001 is dismissed.

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

REASONS

Introduction

[1] These proceedings concern appeals filed by Cardrona Alpine Resort Limited¹ and Anderson Branch Creek Limited² against parts of a decision of the Queenstown Lakes District Council regarding the planning maps of the Proposed Queenstown Lakes District Plan – Stage 1, allocated as Topic 19 (Ski Area Sub Zones).

[2] The court received QLDC's memorandum of counsel dated 14 April 2022 alerting the court that the Topic 19 matter set out in the consent memorandum of the parties dated 16 December 2020 remained before the court for consideration. I have read and considered the consent documentation which proposes to determine the outstanding appeal point allocated to Topic 19, sub-topic 2, which in turn will entirely resolve Topic 19.

¹ ENV-2018-CHC-117.

² ENV-2018-CHC-120.

[3] A number of parties gave notice of an intention to become a party to these appeals under s274 of the Resource Management Act 1991 ('RMA'). Of those whose interest extends to this topic, one party withdrew that interest.³ All remaining s274 parties whose interest extends to this topic have signed the consent memorandum.

Orders

[4] 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



³ By email to the court and parties on 29 October 2020, counsel for Mt Cardrona Station Limited advised it had no further interest in the Anderson Branch appeal point.

Appendix 1

Changes to Plan maps



Cardrona Alpine Resort Limited | Ski Area Subzone Extension

Graphic Attachment to Support Agreed Extension

Document Information

project

Proposed Extension SASZ | Cardrona Alpine Resort

project no.

18110

address

Cardrona Valley Rd

client

Cardrona Alpine Resort Limited

status

FINAL FOR MEDIATION

revision

A	9/11/20	FOR FINAL MEDIATION
B	10/11/20	FOR FINAL MEDIATION

reviewed by

AUTHOR:	WCM
CHECKED BY:	TM

document

Landscape Assessment for Mediation

prepared by

ROUGH & MILNE LANDSCAPE ARCHITECTS LTD.



disclaimer

These plans and drawings have been produced as a result of information provided by the client and/or sourced by or provided to Rough and Milne Landscape Architects Limited (**r+m**) by a third party for the purposes of providing the services. No responsibility is taken by **r+m** for any liability or action arising from any incomplete or inaccurate information provided to **r+m** (whether from the client or a third party). These plans drawings are provided to the client for the benefit and use by the client and for the purpose for which it is intended.

© Rough and Milne Landscape Architects Limited 2018

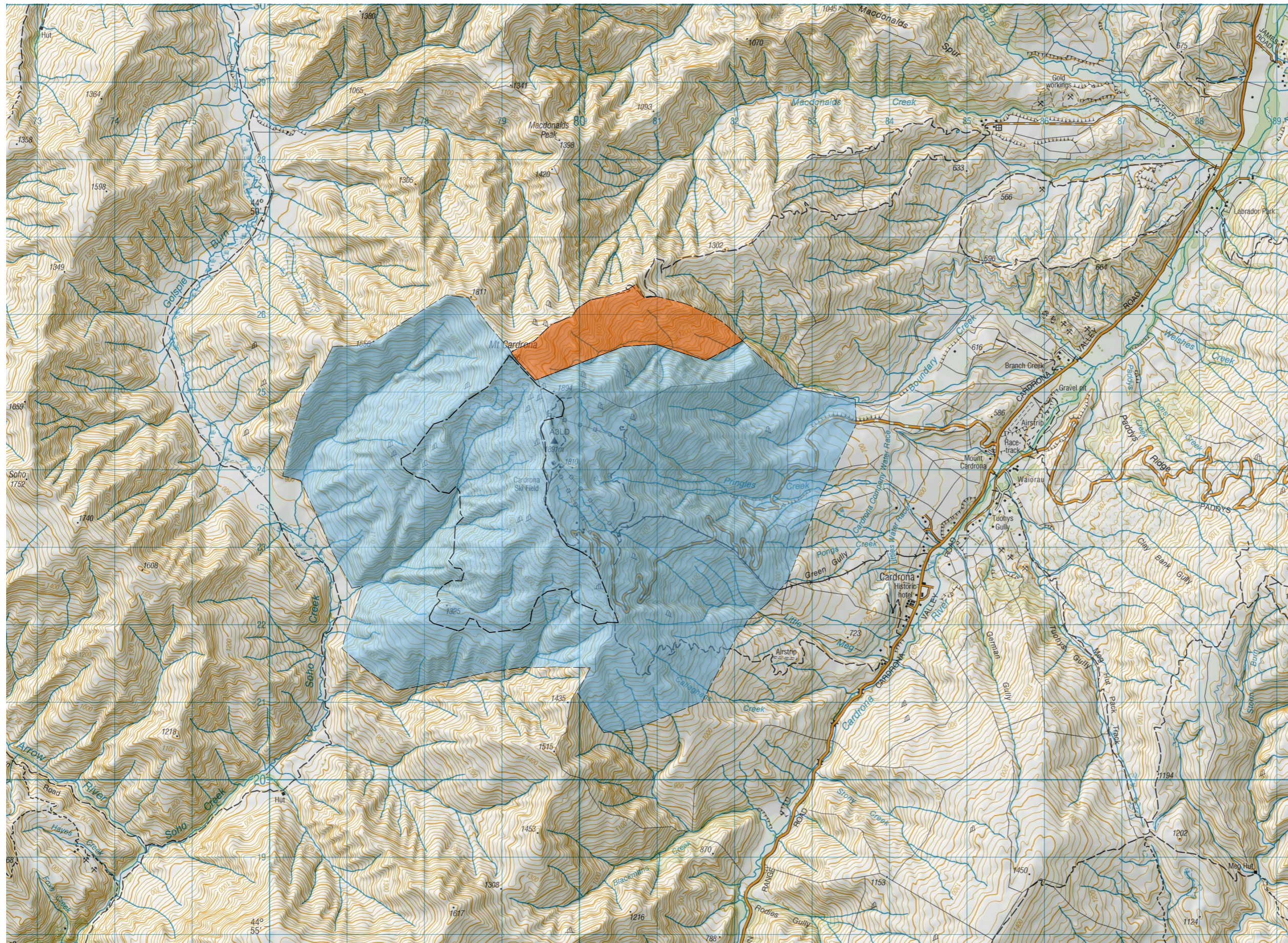
Bibliographic reference for citation:

Proposed Extension SASZ – Cardrona Ski Field
Report prepared by Rough and Milne Landscape Architects for Cardrona Alpine Resort (CAR) Ltd.

Prepared by:	Wendy Chartres-Moginie Registered Landscape Architect Rough and Milne Landscape Architects Ltd	
Reviewed by:	Tony Milne Registered Landscape Architect Director Rough and Milne Landscape Architects Ltd	
Status: Final For Mediation	Revision / version: B	Issue date: 10 November 2020

Use and Reliance

This report has been prepared by Rough and Milne Landscape Architects Limited on the specific instructions of our Client. It is solely for our Client's use for the purpose for which it is intended in accordance with the agreed scope of work. Rough and Milne Landscape Architects does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by Rough and Milne Landscape Architects Limited for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.



LEGEND

- Andersons Basin
- Existing SASZ

Figure 1: Proposed Ski Area Sub-Zone Extension





- LEGEND
- Andersons Basin Area
 - 100m Building Restriction Area
 - Existing SASZ

Figure 2: Andersons Landscape Structure Plan Extent



Appendix 2

Changes to Chapter 21 (Rural)

Insert two new rules in Chapter 21 (Rural), 21.12, Table 9 – Activities in the Ski Area Sub-Zone:

<u>21.12.X</u>	<u>Earthworks, buildings and infrastructure within the Building Restriction Area in the Anderson Basin in the Cardrona Ski Area Sub-Zone.</u>	<u>NC</u>
<u>21.12.X</u>	<u>Ski Area Sub-Zone Accommodation, and Retail activities ancillary to Ski Area Activities in the Anderson Basin in the Cardrona Ski Area Sub-Zone.</u>	<u>NC</u>

