

**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 GRAEME WILLS AND TRISH BURDEN
(ENV-2019-CHC-44)
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 site at 397 Lake Hayes Road (Lot 2 DP 337565) to Wakatipu Basin Lifestyle Precinct under the Proposed Queenstown Lakes District Plan, as set out in Appendix 1, 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 Graeme Wills and Trish Burden 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 4 – Eastern Basin). In particular it relates to the rezoning of the site at 397 Lake Hayes Road, legally described as Lot 2 DP 337565.

[2] The court has now read and considered the consent memorandum of the parties dated 26 November 2020 which proposes to resolve the part of the appeal allocated to Topic 31 by rezoning the subject site from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct.

Other relevant matters

[3] Several parties gave notice of an intention to become parties under s274 of the Resource Management Act 1991 ('the RMA'). Those parties have not signed the memorandum setting out the relief sought as the interest in the appeal does not extend to Topic 31.

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 [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

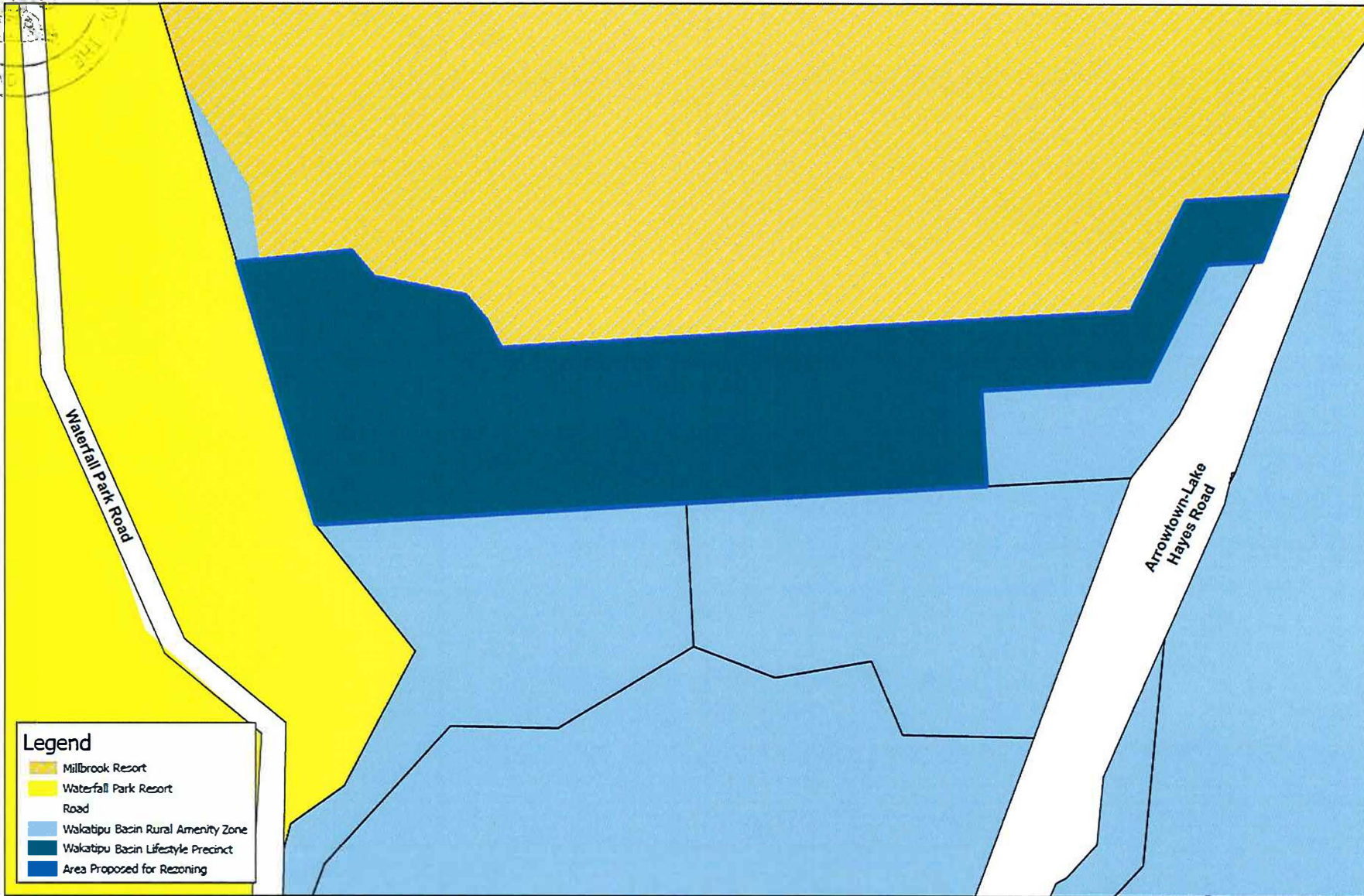


Appendix 1

Zoning amendment

The site at 397 Lake Hayes Road is to be rezoned from Wakatipu Basin Rural Amenity Zone to Wakatipu Basin Lifestyle Precinct.





Appendix A: Map showing amended zoning and relevant site

0 0.03 0.06 0.11 Kms
Date Exported: 29/09/2020

QUEENSTOWN LAKES DISTRICT COUNCIL