

**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 RITCHIE KERR TRUST
 (ENV-2018-CHC-058)
 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: 2 April 2020

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 amend Map 33 of the Proposed Queenstown Lakes District Plan, as set out in Attachment A (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 is an appeal by Ritchie Kerr Trust against a decision of the Queenstown Lakes District Council on Map 33 of the Proposed Queenstown Lakes District Plan – Stage 1. This consent order relates to the location of the Outstanding Natural Landscape ('ONL') and Urban Growth Boundary ('UGB') lines relative to the appellant's land, and the subsequent rezoning of the appellant's land from Rural Zone to Lower Density Suburban Residential Zone.

[2] The court has now read and considered the consent memorandum of the parties dated 14 February 2020 which proposes to resolve the appeal. The court has also considered the statement of evidence of landscape expert Ms Rebecca Lucas in support of the settlement reached.

Other relevant matters

[3] Otago Regional Council has given notice of an intention to become a party under s274 of the Resource Management Act 1991 (the 'RMA') and has signed the memorandum setting out the relief sought.

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



ATTACHMENT A

