

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

**Decision No. [2025] NZEnvC 53**

IN THE MATTER of the Resource Management Act 1991

AND of an appeal under clause 14(1) of  
Schedule 1 of the RMA in relation to  
the Priority Area Landscape Schedules  
Variation to the Queenstown Lakes  
District Council Proposed District  
Plan

BETWEEN TREESPACE NO1 LIMITED  
PARTNERSHIP

(ENV-2024-CHC-63)

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: 25 February 2025

---

**CONSENT ORDER**

---

A: Under s279(1)(b) RMA,<sup>1</sup> the Environment Court, by consent, orders that:

---

Resource Management Act 1991.

TREESPACE NO1 LTD PARTNERSHIP v QLDC – CONSENT ORDER



- (1) the appeal is allowed to the extent that the Queenstown Lakes District Council is directed to amend the provisions of the proposed Queenstown Lakes District Plan by making the changes set out in Appendix 1, attached to and forming part of this consent order;
- (2) the appeal is otherwise dismissed.

B: Under s285 RMA, there is no order as to costs.

## **REASONS**

### **Introduction**

[1] This proceeding concerns an appeal by Treespace No1 Limited Partnership against the decision of Queenstown Lakes District Council on the Priority Area Landscape Schedules Variation to the proposed Queenstown Lakes District Plan. The appellants own land within Mt Dewar Station, which is contained within the Central Whakatipu Basin Priority Area, and sought amendment to Sch 21.22.15 as they considered some of the descriptors of landscape capacity, including that for renewable energy generation activities, did not properly reflect the potential for future development of those activities.

[2] I have read and considered the consent memorandum of the parties dated 18 December 2024 which sets out the agreement reached between the parties to resolve the appeal through amendments to the wording of the landscape capacity rating for “renewable energy generation” in Sch 21.22.15. The agreed wording differs from that sought by the appellant, in particular, the phrase “small-scale renewable energy generation” is replaced with “small and community-scale distributed electricity generation”, which is a defined term in Ch 2 of the PDP. The parties agree this change better aligns with the framework for this specific activity in Ch 30 – Energy and Utilities and the definitions in the National Policy Statement for Renewable Electricity Generation 2011.

### Other relevant matters

[3] Arthurs Point Community Association and NZSki Limited both joined this appeal as interested parties under s274 RMA and have signed the memorandum setting out the relief sought.

[4] There are no issues of scope or jurisdiction.

[5] The parties agree that costs should lie where they fall and accordingly no order for costs is sought.

### Outcome

[6] 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 relevant 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

### Agreed amendment to Schedule 21.22.15

**Renewable energy generation – extremely limited or no** landscape capacity for large scale renewable energy developments, unless it is very discreetly located so that it is reasonably difficult to see from outside the site. ~~Very~~ **Limited** landscape capacity for discreetly located small and community-scale distributed electricity generation ~~small-scale renewable energy generation.~~

