

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

Decision No. [2025] NZEnvC 54

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 UCT PROPERTIES LIMITED AND
ALPINE DEER HOLDINGS LP

(ENV-2024-CHC-70)

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 February 2025

CONSENT ORDER

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

¹ Resource Management Act 1991.



- (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 UCT Properties Limited and Alpine Deer Holdings LP (‘the appellants’) 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 located within the area to which Sch 21.23.4 Church Road – Shortcut Road RCL applies. The appeal seeks an amendment to the wording used in Sch 21.23.4 in relation to the landscape capacity rating for Rural Industrial Activity.

[2] I have read and considered the consent memorandum of the parties dated 13 December 2024 which sets out the agreement reached between the parties to resolve the appeal through amendments to the wording of Sch 21.23.4. The amendments include altering the description of the landscape capacity for rural industry from ‘extremely limited’ to ‘very limited’, and removal of the reference to ‘appropriately scaled buildings’, instead requiring the scale of such development to be ‘modest’ unless otherwise enabled within the Rural Industrial Subzone. This change ensures development of rural industry activities remains modest in scale throughout the Schedule area while acknowledging the level of development enabled by the rural industrial subzone.

Other relevant matters

[3] No other person has given notice of an intention to become a party under s274 of the Act.

[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 21.23.4**

Rural Industrial Activity – ~~extremely~~ **very limited** landscape capacity for rural industry that ~~is~~ is co-located with existing rural industry development ~~and includes~~ appropriately scaled buildings; of a modest scale (unless otherwise enabled within the Rural Industrial Subzone); avoids the impression of development sprawl; maintains / enhances identified landscape values; maintains the quality of views and aesthetic values; and complements the existing character of Luggate.

