

**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 the First
Schedule of the Act
BETWEEN SOUTHERN DISTRICT HEALTH BOARD
(ENV-2018-CHC-73)
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: 18 October 2019

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 to the extent that the Queenstown Lakes District Council is directed to amend Chapter 7 and the planning maps and legends of 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 the Southern District Health Board against parts of a decision of the Queenstown Lakes District Council on Chapter 7 of the proposed Queenstown Lakes District Plan – Stage 1. In particular, it relates to Topic 6 (Residential) and Topic 16 (Rezoning).

[2] The court has now read and considered the consent memorandum of the parties dated 12 April 2019, which proposes to resolve this appeal.

Other relevant matters

[3] Queenstown Airport Corporation gave notice of an intention to become a party under s274 of the Resource Management Act ('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



APPENDIX 1

(amendments shown in underline and ~~strikethrough~~ text)

Chapter 7 Low Density Residential

Policy 7.2.5.1 Enable the establishment of community activities where adverse effects on residential amenity values including noise, traffic, lighting, glare and visual impact can be avoided, remedied or mitigated.

7.4 Rules - Activities

	Activities located in the Lower Density Suburban Residential Zone	Activity Status
...
7.4.4	<u>Hospital at the 'Lakes District Hospital site' shown on Planning Map 33</u>	<u>P</u>
...
7.4.9	Community activities, <u>other than the hospital provided for by Rule 7.4.4</u>	D

...





Amend planning maps and legends to show the areas outlined in red below as 'Lakes District Hospital site':

