

**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 LIZA PUJJI & HARPREET SINGH
(ENV-2018-CHC-60)
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: 30 June 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:
 - (a) amend Chapter 15 Local Shopping Centre Zone to include the amended provisions as set out in Appendix 1, attached to and forming part of this consent order;
 - (b) amend the planning maps to identify 16, 18, 18B and 20 McBride Street as Local Centre Shopping Zone.
- (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 involves an appeal by Dr Liza Pujji and Dr Harpreet Singh, the successors of the appeal lodged by Mr Brett Giddens in relation to land located at 16, 18, 18B and 20 McBride Street, Frankton, Queenstown. The appeal concerns parts of the Queenstown Lakes District Council's decision on the Proposed Queenstown Lakes District Plan – Stage 1. In particular it relates to Topic 16 – Rezoning Group 1 (Queenstown).

[2] The court has now read and considered the consent memorandum of the parties dated 20 December 2019 which proposes to resolve the appeal.

Other relevant matters

[3] The following parties have given notice of an intention to become parties under s274 of the Resource Management Act (the 'RMA') and have signed the memorandum setting out the relief sought:

- (a) C & S Hansen;
- (b) Board of Airline Representatives New Zealand Inc; and
- (c) Queenstown Airport Corporation Limited.

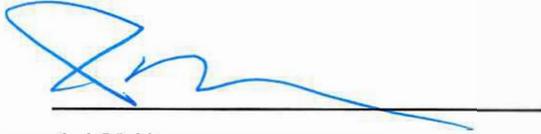
Orders

[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;



- (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 A

Planning maps amendment

The sites at 16, 18, 18B and 20 McBride Street are to be rezoned from Lower Density Residential Zone to Local Centre Shopping Zone, with the following new provisions to apply to those sites (and identified appropriately on the plan maps).

Amendments to provisions

(Amendments shown in underline and ~~strike-through~~)

NEW RULE 15.4.5A

15.4.5A	<u>Development of 16, 18, 18B and 20 McBride Street only</u> <u>Activities Sensitive to Aircraft Noise, other than Residential Units, Residential Flats, Residential Visitor Accommodation, Homestays or as provided for by Rule 15.4.4.</u>	<u>NC</u>
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NEW STANDARD 15.5.5A

	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
15.5.5A	<u>Development of 16, 18, 18B and 20 McBride Street only (as identified on the planning maps).</u> <u>(a) The total number of residential units, residential flats (which are counted separately for the purpose of this standard) and visitor accommodation units shall collectively not exceed 10 across all sites.</u>	<u>NC</u>

