

BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH

I MUA I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI

IN THE MATTER of the Resource Management Act 1991
AND of an appeal under Clause 14 of the First
Schedule of the Act
BETWEEN REMARKABLES PARK LIMITED
(ENV-2019-CHC-58)
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: 22 February 2021

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 the provisions of Chapter 29 (Transport) as set out in Appendix 1, attached to and forming part of this consent order.
- (2) the following appeal points are dismissed:
 - (a) ENV-2019-CHC-058-005; and
 - (b) ENV-2019-CHC-058-012.

B: Under s285 of the Resource Management Act 1991, there is no order as to costs.



REASONS

Introduction

[1] This is an appeal by Remarkables Park Limited against parts of a decision of the Queenstown Lakes District Council ('QLDC) regarding provisions in Chapter 29 (Transport) of the Proposed Queenstown Lakes District Plan – Stage 2, allocated as Topic 28 Transport.

[2] The court has now read and considered the consent memorandum of the parties dated 27 January 2021 which proposes to finally determine two of the outstanding appeal points allocated to this topic.

Other relevant matters

[3] Seven parties¹ gave notice of an intention to become a party to the appeal under s274 of the Resource Management Act ('the RMA') and have signed the memorandum setting out the relief sought.

[4] Queenstown Airport Corporation Limited also gave notice of an intention to become a party under s274 of the RMA but withdrew its interest in the appeal points by email dated 18 December 2020.

[5] ZJV (NZ) Limited and Kāi Tahu² also gave notice of an intention to become a party to the appeal. They have not signed the memorandum as the interest of those parties did not extend to the appeal points resolved by this order.

Orders

[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:

¹ Darby Planning Limited Partnership, Henley Downs Farm Holdings Limited, Henley Downs Land Holdings Limited, Otago Regional Council, Queenstown Park Limited, Soho Ski Area and Blackmans Creek No. 1, Treble Cone Investments Limited and Wayfare Group Limited.

² Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Te Rūnanga o Waihōpai, Te Rūnanga o Awarua And Te Rūnanga o Ōraka-Aparima.



- (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 1

Amendment to Chapter 29 Transport

Changes shown in underline

	Table 29.3 - Standards for activities outside roads	Non-compliance status
	PARKING AND LOADING	
29.5.3	<p><i>Size of <u>Required</u> Parking Spaces and layout</i></p> <p>a. <i>All required parking spaces and associated manoeuvring areas are to be designed and laid out in accordance with the Car Parking Layout requirements of Table 29.7, Table 29.8 and Diagram 3 (car space layouts) of Schedule 29.2.</i></p> <p><i>This standard does not apply to parking, loading and associated access areas for Ski Area Activities in the Ski Area Subzone.</i></p> <p>b. <i>The installation of a vehicle turntable for residential units and residential flats is an acceptable alternative to achieve the required turning manoeuvres of the swept path Diagram 4.</i></p> <p><i>Advice note:</i> <i>Refer to Rule 29.5.8 for additional design requirements of residential parking spaces.</i></p>	<p><i>RD</i></p> <p><i>Discretion is restricted to the size and layout of parking spaces and associated manoeuvring areas.</i></p>

