

BEFORE THE ENVIRONMENT COURT

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under clause 14 of the First  
Schedule of the Act

BETWEEN L & M NEWMAN-HALL

(ENV-2006-WLG-199)

Appellants

AND

MARLBOROUGH DISTRICT COUNCIL

Respondent

Environment Judge J R Jackson sitting alone pursuant to section 279 of the Act

In Chambers at Christchurch

CONSENT ORDER

**Introduction**

[1] On 30 January 2006 L & M Newman-Hall lodged an appeal against the Marlborough District Council's decision on the Proposed Marlborough Sounds Resource Management Plan Change 13- Special Subdivision Rules.

[2] The court has now read and considered the consent memorandum of the parties dated 26 April 2011 which proposes to resolve the appeal.

**Other relevant matters**

[3] No person has given notice of an intention to become a party under section 274 of the Resource Management Act 1991 ("the RMA" or "the Act").



**Orders**

[4] The court is making this order under section 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. 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 Act including, in particular, Part 2.

[5] The court, by consent, orders under section 279(1)(b) of the Act that:

- (1) the appeal is allowed to the extent that Plan Change 13: Special Subdivision Rules to the Marlborough Sounds Resource Management Plan is amended in accordance with Annexure A, which is attached to and forms part of this order;
- (2) the appeal is otherwise dismissed;
- (3) there is no order as to costs.

DATED at Christchurch <sup>5</sup> May 2011

  
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**J R Jackson**  
**Environment Judge**

Issued: 6-5-11



2006-wlg-199 newman hall consent

**Annexure A****27.3.1 Allotment Standards (Discretionary Subdivision Activities)**

<b>Zone</b>	<b>Allotment Type</b> W + with sewerage Reticulation WO + without	<b>Net Min Lot Area M<sup>2</sup></b> see note <sup>1</sup> below	<b>Min Building Platform Shape Factor</b>	<b>Min Frontage metres see note<sup>1</sup> below</b>	<b>Qualification</b>
...					
<i>Rural One Zone</i> - To create a title for a single dwelling unit under Rule 27.3.3.2 below.	<i>Front and Rear WO</i>	<i>3,000 5000</i>	<i>15 metre diameter circle</i>	<i>NA</i>	<i>Maximum lot area 4,000 7000 m<sup>2</sup>. Lot to accommodate 40 50 metre diameter circle. Access requirements apply; Refer 27.3.2.</i>



