

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

Decision No. [2025] NZEnvC 190

IN THE MATTER	of the Resource Management Act 1991
AND	an appeal under clause 14 of the First Schedule of the Act
BETWEEN	IAN MORRISON
	(ENV-2024-CHC-88)
	Appellant
AND	MACKENZIE DISTRICT COUNCIL
	Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act
In Chambers at Christchurch
Date of Consent Order: 16 June 2025

CONSENT ORDER

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

(1) the appeal is allowed to the extent that the Mackenzie District Council is directed to amend the provisions of the Mackenzie District Plan by making the changes set out in Annexure 1, attached to and forming

¹ Resource Management Act 1991.



- part of this consent order; and
- (2) the appeal by Ian Morrison is otherwise dismissed.

B: Under s285 RMA, there is no order as to costs.

REASONS

Introduction

[1] This proceeding concerns an appeal by Mr Ian Morrison against part of Plan Change 23 to the Mackenzie District Plan. He appealed the following provisions:

- (a) General Rural Zone, Natural Features and Landscapes, Natural Character:
 - (i) inclusion of S2a and S2b in the Albury Forestry Management Area (FMA).

[2] I have read and considered the consent memorandum of the parties dated 21 March 2025 (filed 15 May 2025) which sets out the agreement reached between the parties to resolve the appeal by reducing the FMA with an exclusion of the lower-lying pastoral areas between Tramway Stream and the Tengawai Gorge. The change is shown in Annexure 1 to this consent order. The agreement reached is supported by the affidavit of Ms Yvonne Pflüger, a landscape planner.²

Other relevant matters

[3] Federated Farmers of New Zealand joined this appeal under s274 RMA, and has signed the memorandum setting out the relief sought.

² Sworn 15 April 2025.

[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.

[7] The appeal is allowed to the extent that the Mackenzie District Council is directed to amend the provisions of the Mackenzie District Plan by making the changes set out in Annexure 1, attached to and forming part of this consent order.



J J M Hassan
Environment Judge





Annexure 1

