

**IN THE ENVIRONMENT COURT
AT WELLINGTON**

**I TE KŌTI TAIAO O AOTEAROA
KI TE WHANGANUI-A-TARA**

Decision No. [2022] NZEnvC 149

IN THE MATTER	of an appeal under cl 14 of Schedule 1 to the Resource Management Act 1991
BETWEEN	IAN MCDONALD (ENV-2022-WLG-000005) Appellant
AND	WHANGANUI DISTRICT COUNCIL Respondent

Court:	Environment Judge B P Dwyer sitting alone under s 279 of the Act
Hearing:	On the papers
Last case event:	Consent memorandum lodged 9 August 2022
Date of Decision:	16 August 2022
Date of Issue:	16 August 2022

CONSENT ORDER

A: Under section 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that the appeal is allowed to the extent that Whanganui District Council is directed to amend the Whanganui District Plan in accordance with Annexure A (amend the Whanganui District Plan map to show the land identified using blue diagonal lines (“Zoning change to resolve appeal”) on PC54 Map 4 in Annexure A as General Industrial Zone). No other amendments are made to PC 54 Map 4.

B: The appeal is otherwise dismissed.

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C: Under section 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] The Court has read the notice of appeal and the consent memorandum of the parties dated 8 August 2022 which proposes to resolve the appeal.

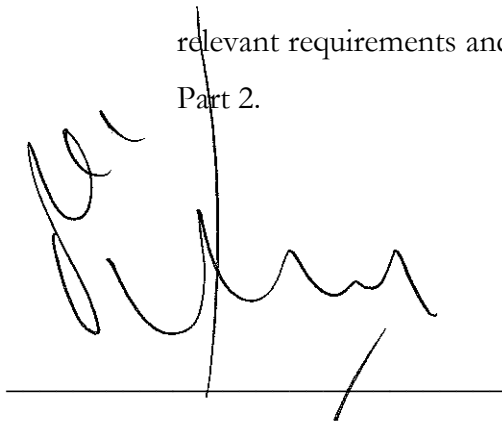
Other relevant matters

[2] No person has given notice of an intention to become a party under s 274 of the Act.

Orders

[3] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 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.



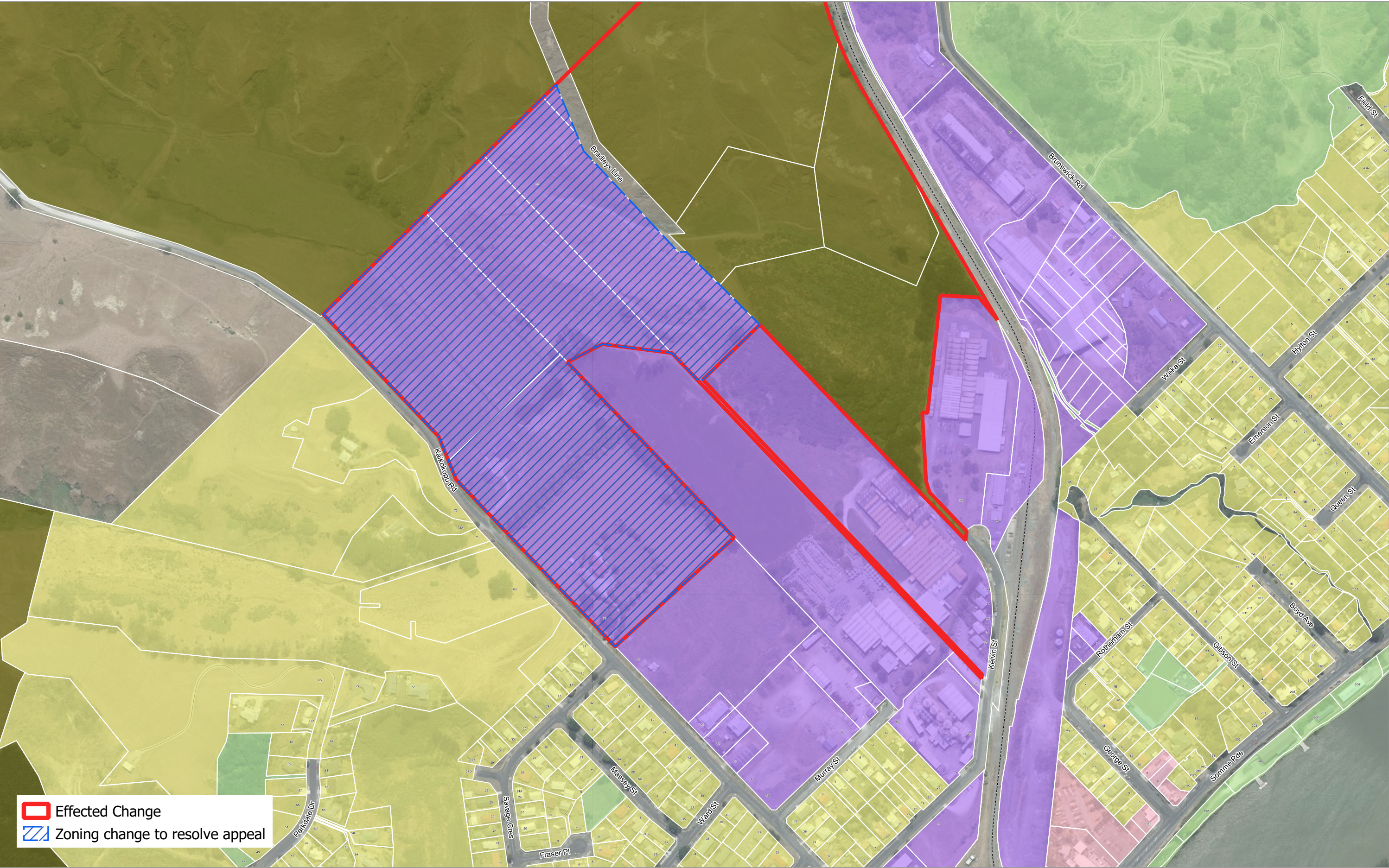
B P Dwyer

Environment Judge



Annexure A

Amend the Whanganui District Plan map to show the land identified using blue diagonal lines (“Zoning change to resolve appeal”) on PC54 Map 4 below as General Industrial Zone.



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**Proposed Zones
384 Kaikokopu Road
PC54 Map 4**

- GRZ - General Residential Zone
- GIZ - General Industrial Zone
- OSZ - Open Space Zone
- COMZ - Neighbourhood Commercial Zone
- GRUZ - General Rural Zone