

**Stewart v Queenstown Lakes District Council 30/8/02, Judge Jackson, EncC  
Christchurch C105/2002**

Partially successful appeal of resource consents - S appealed a decision to grant resource consent to P for the building of three residential properties on subdivided land - S challenged the consents on the grounds the dwellings would visually impair his views of the countryside - WESI appealed on the grounds the dwellings would affect the outstanding natural landscapes of the Wakatipu Basin - S and P had come to an agreement on where a dwelling could be placed on the first lot of subdivided land.

Held, all three proposed buildings would adversely affect views of the scenery - subdivision consent should be refused because adverse effects outweigh any positive effects the buildings would have - objectives and policies of the district's transitional plan will not be achieved if consent is granted - if all the land was held in one title Court would consider the grant of the resource consent for building on lot one should be allowed if all the negative covenants volunteered by P are still forthcoming - proceedings are adjourned pending the lodging of an amended plan by P - appeal partially allowed.