

**IN THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY  
I MUA I TE KŌTI TAIAO O AOTEAROA**

<b>IN THE MATTER</b>	of the Resource Management Act 1991
<b>AND</b>	
<b>IN THE MATTER</b>	of an appeal under Section 14 of Schedule 1 of the Act
<b>BETWEEN</b>	<b>MAXWELL CAMPBELL GUTHRIE</b>  Appellant
<b>AND</b>	<b>QUEENSTOWN LAKES DISTRICT COUNCIL</b>  Respondent

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**NOTICE OF APPEAL**

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**Dated: 3 May 2019**

**TODD & WALKER law**  
LAWYERS | NOTARY PUBLIC

Solicitors:

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**To:** The Registrar  
Environment Court  
Christchurch

1. Maxwell Campbell Guthrie ("**Appellant**") appeals against a decision of the Queenstown Lakes District Council ("**Council**") on its Proposed District Plan ("**Plan**").
2. The Appellant made a submission on the Plan.
3. The Appellant is not a trade competitor for the purpose of section 308D of the Resource Management Act 1991.
4. The Appellant received notice of the decision on 21 March 2019.
5. The decision the Appellant is appealing is:
  - a. The rejection of the Appellant's submission seeking his land be rezoned Wakatipu Basin Lifestyle Precinct.
  - b. The rejection of the Appellant's submission seeking that the construction of dwellings and the exterior alteration to existing dwellings within an existing approved or registered building platform in the Wakatipu Basin Lifestyle Precinct be a controlled activity.
6. The reasons for the appeal are as follows:
  - a. The Council erred in determining that the area sought to be rezoned by the Appellant is highly visible from key scenic routes and would be vulnerable to development creep.
  - b. The Council erred in its finding that the existing resource consent on the property should not form a cue for additional rural residential development in the area.
  - c. The decisions appealed against are contrary to Part 2 of the Resource Management Act 1991.
  - d. The decision not to accept the Appellant's submission that constructing a dwelling and exterior alterations of existing dwelling with an existing approved or registered building platform in Wakatipu Basin Lifestyle Precinct be a controlled activity is not in accordance with sound resource management planning principles and will result in unnecessary and costly consent applications.
  - e. The identification of registered or approved residential building platforms means that Council has previously assessed future potential development within such platforms.
  - f. The Morven Ferry Triangle is a suitable location for more intensive rural residential living in the form of Lifestyle Precinct.
  - g. Given the size of landholdings within the Morven Ferry Triangle the current zoning means every application to subdivide will be a non-complying activity when there is no justification in landscape terms for such activity status.

- h. There is no evidential or other justification for a minimum lot size of 80ha in the Rural Amenity Zone.
7. The Appellant seeks the following relief:
  - a. That the decision of the Council be overturned, and the Appellant's appeal be accepted.
8. The following documents are attached to this notice:
  - a. A copy of the Appellant's submission;
  - b. A copy of the decision; and
  - c. A list of names and addresses to be served with a copy of this notice.

Dated: 3 May 2019



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Signed for the Appellant  
by their solicitor and duly authorised agent  
Graeme Morris Todd/Benjamin Brett Gresson

**Address for service of the Appellant:**

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**Advice to recipients of copy of notice of appeal**

*How to become party to proceedings*

You may be a party to the appeal if you lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court, and serve copies on the other parties, within 15 working days after the period for lodging a notice of appeal ends.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see form 38).

*Advice*

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.