

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV-2026-CHC-

**I MUA I TE KŌTI TAIAO
KI ŌTAUTAHI**

UNDER

the Resource Management Act 1991

IN THE MATTER

of an appeal under clause 14(1) of
Schedule 1 of the Act

BETWEEN

**CITY IMPACT CHURCH
QUEENSTOWN INCORPORATED**

Appellant

AND

**QUEENSTOWN LAKES DISTRICT
COUNCIL**

Respondent

NOTICE OF APPEAL

Dated: 7 April 2026

Todd Walker

Solicitor acting
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TO: The Registrar
Environment Court
Christchurch

AND TO: The Respondent

This document notifies you that –

- [1] City Impact Church Queenstown Incorporated (**Appellant**) appeals against part of a decision of the Queenstown Lakes District Council (**Council**) on the urban intensification variation (**Variation**) to the Queenstown Lakes Proposed District Plan.
- [2] The Appellant made a submission on the Variation.
- [3] The Appellant is not a trade competitor for the purpose of section 308D of the Resource Management Act 1991 (**Act**).
- [4] The Appellant received notice of the decision on 20 February 2026.
- [5] The parts of the decision the Appellant is appealing are the rejection of the Appellant's submission which sought:
- (a) to rezone the Appellant's Land at Frankton to Business Mixed Use (**BMUZ**);
 - (b) to identify a consequential adjustment of the Urban Growth Boundary (**UGB**) and Outstanding Natural Landscape (**ONL**) overlays; and
 - (c) to enable increased building heights for the Appellant's Land.

Reasons for appeal

- [6] The reasons for the appeal are as follows:

Submitter background

- [7] The Appellant owns land situated at 3 Hansen Road, Frankton, Queenstown being Part Section 120, Block I, Shotover Survey District (**Appellant's Land**). The land is currently split zoned in the Proposed District Plan as Suburban Residential Zone (**SRZ**) and Rural, and is subject to a number of planning overlays.

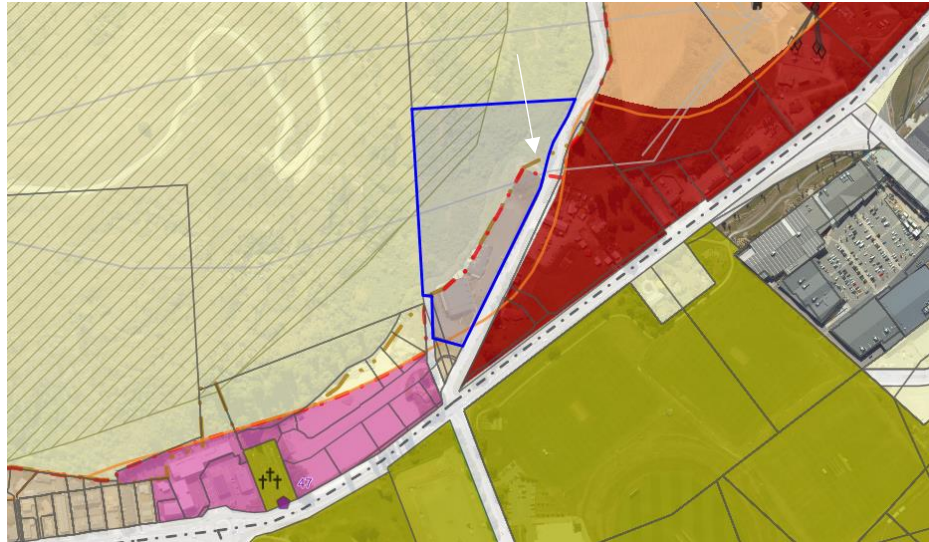


Figure 1. The Appellant's Land at 3 Hansen Road, outlined in blue.

- [8] Figure 1 shows the Appellant's Land. The southern / south-eastern portion of the Land is zoned SRZ (in light brown) and the northern / north-western portion of the Land is zoned Rural (light yellow). The ONL (brown dashed line) and UGB (red dashed line) generally align with the SRZ but run through the existing buildings on the land. Adjacent land to the west is zoned Local Shopping Centre (LCSZ; in pink) and to the east is BMUZ (in red).

Upzoning the Appellant's Land and increased height

- [9] The decision erred in failing to upzone the Appellant's Land to BMUZ. The Panel agreed that split zoning does not lead to an efficient use of the Land yet failed to rezone the Land to avoid this inefficiency.
- [10] The Variation was intended to implement Policy 5 of the National Policy Statement for Urban Development (**NPS-UD**) by enabling commensurate heights and density to accessibility or relative demand. The Appellant's Land performs well in terms of accessibility and / or relative demand. It is highly accessible land, situated adjacent to the developed Frankton commercial area.
- [11] The existing zoning and overlay boundaries do not reflect effective or efficient planning outcomes. Rezoning the Appellant's Land to BMUZ would be a reasonable and logical extension of the existing BMUZ, resulting in a consistent and coherent patterning of the BMUZ in Frankton.

- [12] The decision gave insufficient weight to landscape evidence on the capacity of the Appellant's Land to absorb increased height.

Rezoning Rural land and adjustment of planning overlays

- [13] The northern / north-western portion of the Land is located outside the UGB and within an ONL. The Appellant sought to rezone a small triangular section of land (identified by a white arrow in Figure 1) located outside the ONL from Rural to BMUZ and a consequential adjustment of the UGB to include this area, and also sought an adjustment to the ONL boundary through the Land.
- [14] The decision erred in concluding that rezoning this Rural zoned land and adjustments to the UGB and ONL were out of scope of the Variation. As outlined previously, the Variation sought to implement the NPS-UD. The Appellant's Land is highly accessible and close to the developed Frankton commercial area. It is also a split zoned site, part of which was directly affected by the Variation, affecting the status quo of the Land. The wider context of the Land will also change as it is situated adjacent to land being subject to a height uplift. Rezoning this land from Rural could be reasonably anticipated as part of the Variation.
- [15] The NPS-UD does not restrict the Council to consider only the existing urban environment as defined in the PDP for the purposes of applying Policy 5 of the NPS-UD. Rather, the focus is on creating well-functioning urban environments. The output of such planning decisions in this variation process could involve the rezoning of accessible Rural land. Although the s 32 assessment did not include an extension of existing urban zones, this is not determinative of scope.
- [16] Further, the Variation provided an efficient opportunity for landowners to seek outcomes in line with the NPS-UD. As such, it could be reasonably anticipated that owners of land that is located at the junction of a critical urban and transport node would seek outcomes that are consistent with the objectives of the NPS-UD. This is particularly true where urban edges are not landscape-based or defensible. In the Appellant's Land, the ONL and UGB run through an existing building and do not reflect geomorphological values.

[17] It follows that rezoning the Rural zoned land and adjustments to the ONL and UGB overlays would be within scope of the Variation.

General reasons for Appeal

[18] The decision does not represent the most appropriate way of achieving the objectives of the Variation under s 32 of the Act and will not be an efficient or effective zoning of the Site.

[19] The decision does not otherwise give effect to the relevant provisions of the NPS-UD.

[20] The decision does not otherwise accord with the relevant provisions of Part 2 of the Act.

Relief sought

[21] The Appellant seeks the following relief:

- (a) adjustments to the ONL and UGB to reflect the geomorphological values of the Land and to incorporate urban zoning of the Appellant's Land;
- (b) to rezone the Appellant's Land outside the ONL to BMUZ, or other zoning that would give effect to the issues set out in the Appellant's submission and this notice of appeal;
- (c) to enable increased height on the Appellant's Land; and / or
- (d) any other or consequential relief that would give effect to the relief sought by the Appellant.

Attachments

[22] The following documents are **attached** to this notice:

- (a) A copy of the Appellant's submission and further submission (**Attachment A**);
- (b) A copy of the Panel's Recommendations Report (**Attachment B**);
and

- (c) A list of parties to be served with a copy of this notice of appeal
(Attachment C).

Dated: 7 April 2026

A handwritten signature in black ink, appearing to be 'L King'.

.....
Signed for City Impact Church Queenstown Incorporated
by its solicitor and duly authorised agent
R E M Hill / L C King

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Advice to recipients of copy of notice of appeal

How to become a party to proceedings

If you wish to become a party to the appeal, you must,—

- a) within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- b) within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

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).

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.

Advice

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