

In the Environment Court of New Zealand  
Christchurch Registry

I Te Koti Taiao o Aotearoa  
Ōtautahi Rohe

**ENV-2018-CHC-**

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Under the Resource Management Act 1991 (**RMA**)

In the matter of An appeal under clause 14(1) of Schedule 1 of the RMA in relation to the proposed Queenstown Lakes District Plan

Between **Fred Van Brandenburg**  
Appellant

And **Queenstown Lakes District Council**  
Respondent

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**Notice of Appeal**

19 June 2018

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**Appellant's solicitors:**

Vanessa Robb | Rosie Hill  
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**anderson  
lloyd.**

**To** The Registrar  
Environment Court  
Christchurch

- 1 Fred Van Brandenburg appeals against part of the decision of Queenstown Lakes District Council on the proposed Queenstown Lakes District Plan (**PDP**).
- 2 Fred Van Brandenburg made a submission (#520) on the PDP.
- 3 Fred Van Brandenburg is not a trade competitor for the purpose of section 308D Resource Management Act 1991 (**RMA**).
- 4 Fred Van Brandenburg received notice of the decision on 7 May 2018.
- 5 The decision was made by Queenstown Lakes District Council (**QLDC**).
- 6 The parts of the decisions appealed relate to:
  - (a) Chapter 9 High Density Residential;
  - (b) Chapter 27 Subdivision;
  - (c) Planning Map 32.
- 7 Reasons for appeal

### **Background**

- 8 Fred Van Brandenburg has an interest in land located at 595 Frankton Road, Queenstown, legally described as Lot 1 DP 12665 held in CFR OT15C/1071 (**Site**). The Site is zoned High Density Residential – Subzone A in the Operative Plan, and High Density Residential under the PDP.
- 9 Fred Van Brandenburg sought in his submission to the PDP, amendments to objectives and policies of the HDR Zone to enable a more efficient and effective planning regime for HDR proposals. Specific provisions were sought in respect of the Site which were contained in the ODP and which reflect the nature of consented development existing for the Site.
- 10 This relief has not been included in the PDP Decision and is appealed for the reasons set out in **Appendix A** below.

### **Further and consequential relief sought**

11 Fred Van Brandenburg opposes any further provisions inconsistent with this appeal and seeks alternative, consequential, or necessary additional relief to that set out in this appeal and to give effect to the matters raised generally in this appeal and Fred Van Brandenburg's PDP submission.

### **Attachments**

12 The following documents are **attached** to this notice:

- (a) **Appendix A** – relief sought
- (b) **Appendix B** - A copy of the Appellants' submission;
- (c) **Appendix C** - A copy of the relevant parts of the decision; and
- (d) **Appendix D** - A list of names and addresses of persons to be served with this notice.

Dated this 19<sup>th</sup> day of June 2018



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Vanessa Robb/Rosie Hill  
Counsel for the Appellant

### **Address for service of the Appellants**

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Contact persons: Vanessa Robb | Rosie Hill

### **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 made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- 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
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

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 or service requirements (see form 38).

#### **Advice**

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