

**In the Environment Court
at Christchurch**

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| In the Matter | of the Resource Management Act 1991 |
| And | |
| In the Matter | of an appeal under Clause 14(1), Schedule 1 of the Act |
| Between | TROJAN HELMET LIMITED |
| | Appellant |
| And | QUEENSTOWN LAKES DISTRICT COUNCIL |
| | Respondent |

**Notice of Appeal by Trojan Helmet
Limited against a decision on the
Proposed Queenstown Lakes District
Plan - Stage 1**

Dated: 19 June 2018

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To: The Registrar
Environment Court
Christchurch

Notice of Appeal

1. Trojan Helmet Limited (THL) appeals against part of a decision of the Queenstown Lakes District Council (**Respondent**) on the Proposed Queenstown Lakes District Plan - Stage 1 (**Proposed Plan**).
2. THL made a submission on the Proposed Plan.
3. THL is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (**Act**).
4. THL received notice of the Respondent's decisions on 7 May 2018.
5. The decision was made by the Respondent by ratifying the recommendations of the Independent Hearings Panel (**Panel**).
6. The decision that THL is appealing is Report 03 Stream 1B Chapter 3, 4, 6 (**Decision**).

Reasons for the Appeal

7. The reasons for the appeal are as follows:
 - (a) THL made a submission on Stage 1 of the Proposed Plan seeking amongst other things, greater recognition in the higher order and rural objectives and policies of non-farming activities that may require a rural location including as rural living, recreation, and commercial and tourism activities, including golf courses. THL also sought a bespoke resort zoning for its land which includes The Hills Golf Course. As a less preferred relief, THL sought that the Proposed Plan be amended to appropriately recognise for the existing golf course at The Hills and its associated and ongoing development in the rural zone, and for resort style development at The Hills to be enabled, by making the amendments to the Proposed Plan set out in the submission, including any similar or consequential amendments. THL also sought, in the alternative, that the Proposed Plan be amended in a similar or such

other way as may be appropriate to address the matters raised in its submission.

- (b) In the Decision the Respondent has included a new definition of “Resort”, as follows:

“Resort – means an integrated and planned development involving low average density of residential development (as a proportion of the developed area) principally providing temporary visitor accommodation and forming part of an overall development focused on onsite visitor activities”

- (c) THL considers the new definition is appropriate because, when read in conjunction with the Decision on the definition of “Urban Development”, it clarifies that resort development in an otherwise rural area does not constitute urban development. It can also be inferred from the definitions that resort development is anticipated in at least some rural areas.
- (d) The new “Resort” definition is therefore of some consequence, particularly with regards to the interpretation and application of the higher order objectives and policies, however the higher order objectives and policies are silent on resort development in rural areas. This is a significant omission in the Proposed Plan that requires rectification, particularly given the numerous existing and proposed resort developments within the District.
- (e) Resorts make (or have the potential to make) a significant contribution to the District’s economy and can be an appropriate use of land in some rural areas of the District. The Proposed Plan should recognise this by the inclusion of objectives and policies in the higher order strategic chapters that specifically recognise the benefits of and make provision for resort development in appropriate parts of the District.
- (f) THL considers that without such amendments the Proposed Plan:
- (i) fails to achieve the functions of the Council under section 31 of integrated management of the effects of the use and development of land and physical resources;

- (ii) fails to meet the requirements of section 32;
- (iii) does not represent an efficient use of land under section 7(a);
and
- (iv) fails to promote sustainable management of resources and will
not achieve the purpose of the Act.

Relief Sought

8. THL seeks the following relief:
- (a) that the Proposed Plan be amended to include in the higher order strategic chapters, or elsewhere as maybe appropriate, an objective and policy suite that recognises and provides for resort development in appropriate locations in the District, including in the rural areas; and
 - (b) any similar, consequential, or other relief as is necessary to address the issues raised in THL's appeal or otherwise raised in THL's submission.

Attached Documents

9. The following documents are **attached** to this notice:
- (a) a copy of THL's submission (**Annexure A**);
 - (b) the relevant parts of the Respondent's decisions (**Annexure B**); and
 - (c) a list of the names and addresses of the persons to be served with a copy of this notice of appeal (**Annexure C**).

Dated this 19th day of June 2018



Rebecca Wolt

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Advice to Recipients of Copy of Notice of Appeal

How to become a Party to Proceedings

You may be a party to the appeal if:

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 in accordance with the requirements below.

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).

Service Requirements in Accordance with ENV-2018-CHC-24

Section 274 notices must be lodged with the court electronically by email to Christine.McKee@justive.govt.nz in accordance with the standard requirements set out in the Resource Management Act 1991 and the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

The requirement relating to the service of section 274 notices have been altered to the effect that:

- Section 274 notices must be served on the Council electronically by email to dppappeals@qldc.govt.nz and on the appellant; and
- Service of section 274 notices on “all other parties” will be deemed to be effected to the Council uploading copies of section 274 notices received onto its website.