

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

IN THE MATTER of the Resource Management Act 1991
AND
IN THE MATTER of an appeal under clause 14 of
schedule 1 of the Act
BETWEEN **SYZ INVESTMENTS LIMITED**
Appellant
AND **QUEENSTOWN LAKES DISTRICT
COUNCIL**
Respondent

NOTICE OF APPEAL

Dated: 7 May 2019

Solicitors:

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To: The Registrar
Environment Court
Christchurch

1. SYZ Investments Limited ("**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 amendments to the boundary of the Outstanding Natural Landscape ("**ONL**") to take part of the Appellant's land outside the ONL.
 - b. The Council's decision not to rezone the Appellant's land as Wakatipu Basin Lifestyle Precinct ("**WBLP**").
6. The reasons for the appeal are as follows:
 - a. The location of the Appellant's land immediately adjacent to the WBLP on the lower slopes of Morven Hill and between other existing rural residential development means that such land should not be located within the ONL. The ONL line should be moved up the hill and land outside the relocated ONL line be rezoned WBLP.
 - b. The lower slopes of the Appellant's land do not display landscape characteristics worthy of including such land within an ONL especially given the immediately adjoining rural residential development and infrastructure.
 - c. The decision of the Council was not based on an assessment of the suitability of the land for rezoning but solely on whether such land was currently serviced by reticulated services.
 - d. Whilst the Appellant's land is not currently serviced by reticulated services it would be a straightforward exercise to extend such services to enable the land to be serviced.
 - e. The zoning of part of the Appellant's land sought to be rezoned as WBLP as Rural Amenity Zone is not a wise or sustainable use of the land resource.
 - f. The Appellant's land comprising some 50 hectares given its topography and location adjacent to Rural Lifestyle Zoned land is not suitable for any farm of land use recognised by the Rural Amenity Zone.
 - g. The decision of the Council is not in accordance with sound resource management planning principles and cannot be justified as such.
 - h. The Council's decision did not contain any assessment of the environment in which the Appellant's land is located.

7. The Appellant seeks the following relief:
 - a. That the decision of the Council be overturned, and the Appellants appeal be accepted that;
 - i. Part of the land not form part of the ONL; and
 - ii. That part of the submitters land outside the ONL be rezoned WBLP.
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: 7 May 2019



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.