

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao o Aotearoa
Ōtautahi Rohe

ENV-

Under the Resource Management Act 1991

In the matter of an appeal under s 120 of the Resource Management Act 1991

Between **The Station at Waitiri Limited**

Appellant

And **Queenstown Lakes District Council**

Respondent

Notice of Appeal on proposed Gibbston Valley Industrial Zone

18 May 2021

Appellant's solicitors:

Vanessa Robb | Roisin Giles
Anderson Lloyd
Level 2, 13 Camp Street, Queenstown 9300
PO Box 201, Queenstown 9348

p + 64 3 450 0700
vanessa.robbs@al.nz | roisin.giles@al.nz

**anderson
lloyd.**

To: The Registrar
Environment Court
Christchurch

- 1 The Station at Waitiri (**the Station**) appeals against part of the decision of Queenstown Lakes District Council on Stage 3 of the Queenstown Lakes Proposed District Plan (**PDP**).
- 2 The Station made Submission #3357 on Stage 3 the PDP.
- 3 The Station is not a trade competitor for the purpose of section 308D of the RMA.
- 4 The Station received notice of the decision on 1 April 2021.
- 5 The decision was made by Queenstown Lakes District Council (**QLDC**).
- 6 The parts of the decision appealed relates to:
 - (a) Chapter 18A: General Industrial Zone; and
 - (b) The PDP Planning Map.
- 7 The reasons for appeal and general relief sought by The Station are summarised below.

Background

- 8 The Station owns land located on State Highway 6, Gibbston Valley, east of the Nevis Bluff. The land is legally referred to in the record of title as Section 3 SO 24743 and Lot 4 DP 27395 as held within 410590 and OT19A/734 respectively (**Land**).
- 9 The Land is zoned Gibbston Character Zone under the PDP. The Station seeks to amend the zoning of the Land to General Industrial Zone, or a similar zoning enabling industrial use, with site specific amendments to the provisions of Chapter 18A to support the rezoning.

Reasons for appeal

- 10 The Station opposes the decisions version of Chapter 18A and the retention of the Land as Gibbston Character Zone on the Planning Map, on the basis that the decision:
 - (a) does not accord with, or assist the territorial authority to carry out its functions to achieve the purpose for the RMA;

- (b) does not meet section 32 of the RMA;
 - (c) does not promote the sustainable management of natural and physical resources, nor does it enable the social, economic and cultural well-being of the community;
 - (d) does not meet the reasonably foreseeable needs of future generations;
 - (e) does not represent integrated management or sound resource management practice;
 - (f) does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means;
 - (g) will not implement and/or give effect to the objectives, policies, and other provisions of the PDP and the other relevant planning instruments, including the Regional Policy Statement; and
 - (h) is inconsistent with Part 2 of the RMA and ultimately does not achieve its purpose.
- 11 Insufficient provision for industrial land has been made within the PDP. There is a demonstrated need to provide for more industrial land within the Wakatipu Ward. Zoning the Land for industrial use will assist in meeting demand for industrial land in the short, medium and long term, and will assist in giving effect to the National Policy Statement on Urban Development 2020.
- 12 Any issues arising from the identification of Industrial land in the Gibbston Valley, such as reverse sensitivity, traffic infrastructure and landscape effects can be appropriately mitigated.
- 13 Rezoning the Land for industrial use will:
- (a) Promote the sustainable management of natural and physical resources, will be consistent with Part 2 of the RMA and ultimately achieve its purpose;
 - (b) Enable the social, economic and cultural well-being of the community;
 - (c) Meet the reasonably foreseeable needs of future generations; and

- (d) Represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

Relief sought

- 14 Insert an Urban Growth Boundary around the Land to be included within the proposed General Industrial Zone;
- 15 Amend the PDP Planning Map by zoning the Land to General Industrial Zone, or an alternative zoning that enables industrial use of the Land;
- 16 Amend the provisions of Chapter 18A and related provisions in other chapters of the PDP as necessary to give effect to the issues raised in the appeal and the submission;
- 17 Notwithstanding the generality of the above relief, amend the provisions of Chapter 18A for the General Industrial Zone to achieve the following:
 - (a) Buildings are controlled activities in respect of landscaping, external appearance, location of offices and showrooms, and visual impact;
 - (b) Outdoor storage areas are permitted;
 - (c) Retail sales are limited to goods manufactured on the site, and ancillary products up to 20% of the gross floor area, or are otherwise non-complying;
 - (d) Visitor accommodation is non-complying;
 - (e) One residential unit per site is permitted for the purpose of onsite custodial management;
 - (f) Buildings are to be set back 5m from SH6 and 2m from all other boundaries;
 - (g) 80% maximum site coverage;
 - (h) Maximum building height of 10m;
 - (i) Adherence to noise standards measured at any point outside of the zone; and
 - (j) No minimum allotment size for subdivision.

Further and consequential relief sought

18 The Station seeks alternative, consequential, or necessary additional relief to that set out in this appeal to give effect to the matters raised generally in this appeal or such other changes that give effect to the outcomes sought in the Station's submission.

Attachments

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

- (a) **Appendix A** – A copy of the Station's Stage 3 submission #3357;
- (b) **Appendix B** – A copy of the decision appealed; and
- (c) **Appendix C** – A list of names and addresses of persons to be served with this notice.

Dated this 18th day of May 2021



Vanessa Robb/Roisin Giles
Counsel for the Appellant

Address for service of the Appellant

Anderson Lloyd

Level 2, 13 Camp Street

PO Box 201

Queenstown 9300

Phone: 03 450 0700 Fax: 03 450 0799

Email: vanessa.robb@al.nz | roisin.giles@al.nz

Contact persons: Vanessa Robb | Roisin Giles

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.