

**BEFORE THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY**

	<b>ENV:</b>
<b>In the Matter</b>	of an appeal pursuant to clause 14 of the First Schedule of the Resource Management Act 1991
<b>Between</b>	<b>CORBRIDGE ESTATES LIMITED PARTNERSHIP</b>
	<b>Appellant</b>
<b>And</b>	<b>QUEENSTOWN LAKES DISTRICT COUNCIL</b>
	<b>Respondent</b>

---

---

**NOTICE OF APPEAL**

---

---

---

**GALLAWAY COOK ALLAN  
LAWYERS  
DUNEDIN**

Solicitor on record: Bridget Irving  
Solicitor to contact: Derek McLachlan  
PO Box 143, Dunedin 9054  
Ph: (03) 477 7312  
Fax: (03) 477 5564  
Email: [bridget.irving@gallawaycookallan.co.nz](mailto:bridget.irving@gallawaycookallan.co.nz)  
Email: [derek.mclachlan@gallawaycookallan.co.nz](mailto:derek.mclachlan@gallawaycookallan.co.nz)

**NOTICE OF APPEAL**

To: The Registrar

Environment Court

Christchurch Registry

1. Corbridge Estates Limited Partnership (**Corbridge**), appeals against a decision of the Queenstown Lakes District Council on the following:
  - (a) Queenstown Lakes District Council Proposed District Plan Stage 3 and 3b.
2. Corbridge made a submission regarding the Proposed District Plan Stage 3 No.31021.
3. Corbridge is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. Corbridge received notice of the decision on 1 April 2021.
5. The decision was made by an Independent Commission on behalf of the Queenstown Lakes District Council.
6. The decision Corbridge is appealing is:
  - (a) Report 20.7: Decision to decline submission of Corbridge to re-zoned site at as Rural Visitor Zone ("RVZ").
7. The reasons for the appeal are:

*Irrelevant considerations*

  - (a) The Decision took into account potential effects of Rural Visitor Zones yet to be identified. Such effects are speculative.
  - (b) The Decision erred in concluding that the RVZ zone provisions needed to address potential for cumulative effects from future RVZ zones.

*RVZ in the Rural Character Landscape*

- (c) The Decision concluded that it was appropriate for the RVZ zone to be applied to areas outside of any ONL or ONF and that such an approach was consistent with the strategic objectives in Chapter 3 and Chapter 6 of the Proposed District Plan (PDP) and required to give effect for the Regional Policy Statement.
- (d) The Decision confirmed that it was not necessary for RVZ's to be confined to 'remote' locations.

*Limited Scale*

- (e) The Decision erred in concluding that 'limited scale and intensity' did not relate to the imposition of limits on matters such as number of units, floor area and through use of a structure plan. The changes made to the purpose in the Decision do not clarify matters and serve to narrow the application of the RVZ.

*Residential Activity*

- (f) The Decision erred in determining that the purpose of the RVZ would not be served by provision for some residential activity.

*Structure Plan*

- (g) The Decision erred in concluding that structure plans were not an efficient and effective tool for implementing the provisions of the RVZ

*Existing Environment*

- (h) The Decision did not give appropriate weight to the existing environment when assessing whether the RVZ was the most appropriate zone for the Corbridge site.

*Landscape Effects*

- (i) The Decision erred in concluding that the proposal will not achieve the strategic directions of Chapters 3 and 6, nor be consistent with the objectives and policies of Chapter 46 relating to landscape values.

- (j) The Decision placed insufficient weight on Structure Plan approach, and the ability to mitigate adverse effects of built form through controls such as maximum building coverage, density standards, identification of landscape sensitivity areas, building standards and consent requirements.
- (k) The Decision placed insufficient weight on the individual site characteristics, and the capacity for the site to absorb development through design controls.
- (l) The Decision erred in concluding that it was necessary for the rural character of the landscape within the RVZ site to be maintained.

*Location, Nature, Scale and Intensity of the Proposed Corbridge RVZ*

- (m) The Decision erred in concluding that the nature and scale of the development was inconsistent with the objectives and policies of the Rural Visitor Zone.
- (n) The Decision erred in finding relief in accordance with the Corbridge evidence would not achieve Objective 46.2.1 and recommended Objective 46.2.2 of the proposed District Plan.
- (o) The Decision erred in concluding that the Corbridge structure plan and associated building and design controls would appropriately manage the scale and intensity of development,
- (p) The panel incorrectly applied the concept of 'remoteness'.
- (q) The Decision erred in concluding that landscape and rural character values would be degraded by the rezoning proposed by Corbridge. As such the Decision erred in concluding that the Corbridge proposal would not achieve the strategic direction of Chapters 3 and 6, nor be consistent with the objectives and policies of the RVZ Zone.

*Urban Development*

- (r) The Decision erred in concluding that providing for some residential development in the RVZ would be inconsistent with the purpose of the RVZ and contrary to the strategic objectives and policies in Chapters 3 & 6, and recommended Policy 46.2.1.4.

*Infrastructure*

- (s) The Decision erred in concluding there was insufficient evidence available regarding credible options for providing 3 waters infrastructure.
- (t) The Decision incorrectly inferred that there could be potential adverse effects on traffic safety and efficiency of the adjacent state highway network.

*Scope - Workers Accommodation Village*

- (u) The Decision erred in concluding that there was not scope within the notified RVZ to provide accommodation for contractors who are working on the construction of the site, or to people working nearby.
- (v) The Decision failed to recognise the efficiencies associated specific permitted activity rule for construction workers accommodation. The panel placed too much weight on alternative consenting pathways (i.e. temporary consent).

*Objective and Policies*

- (w) The Decision erred in failing to incorporate amendments and/or introduce new Objectives and Policy to the RVZ which recognise and provide for site specific proposals.

*General*

- (x) In rejecting the relief sought by Corbridge the Decision fails to implement the Strategic Provisions of the Proposed District Plan, particularly those related to a prosperous and resilient economy.

- (y) The Decision fails to achieve the purpose of the Act.
8. Corbridge seeks the following relief:
- (a) The relief sought as set out in **Annexure A** to this Notice of Appeal.
9. Attached the following documents to this notice:
- (a) A copy of Corbridge's original submission (**Annexure B**);
  - (b) A copy of the relevant sections of the Decision (**Annexure C**);  
and
  - (c) A list of names and addresses of persons to be served with a copy of this notice (**Annexure D**).



Bridget Irving/Derek McLachlan

Solicitor for the Appellant

**DATED** 17 May 2021

Address for service

for Appellant:           Gallaway Cook Allan  
                                  Lawyers  
                                  123 Vogel Street  
                                  P O Box 143  
                                  Dunedin 9054

Telephone:               (03) 477 7312

Fax:                       (03) 477 5564

Contact Person:        Bridget Irving / Derek McLachlan

Email: [bridget.irving@gallawaycookallan.co.nz](mailto:bridget.irving@gallawaycookallan.co.nz) /  
                                  [derek.mclachlan@gallawaycookallan.co.nz](mailto:derek.mclachlan@gallawaycookallan.co.nz)

## **Advice to Recipients of Copy of Notice**

### *How to Become a Party to Proceedings*

You may be a party to the appeal if you made a submission on the matter of this appeal and 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).

### *How to Obtain Copies of Documents Relating to Appeal*

The copy of this notice served on you does not attach a copy of the relevant decision. These documents may be obtained, on request, from the Appellant.

### *Advice*

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

