

**BEFORE THE ENVIRONMENT COURT  
IN CHRISTCHURCH**

**IN THE MATTER**

of the Resource Management  
Act 1991

**AND**

**IN THE MATTER**

of an appeal pursuant to Clause  
14 of Schedule 1 of the Act

**BETWEEN**

**THE TRUSTEES OF THE P D  
GORDON FAMILY TRUST**

Appellant

**AND**

**QUEENSTOWN LAKES  
DISTRICT COUNCIL**

Respondent

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**NOTICE OF APPEAL**

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**Dated: 18 JUNE 2018**

AWS Legal  
Solicitors for the Appellant  
PO Box 268  
Alexandra  
Attention: D Gibson  
[dave.gibson@awslegal.com](mailto:dave.gibson@awslegal.com)

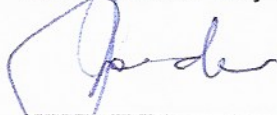
Counsel instructed:  
JG Hardie  
Barrister  
Christchurch  
[johnhardiemediator@gmail.com](mailto:johnhardiemediator@gmail.com)

**To:** The Registrar  
Environment Court  
Christchurch

1. The Trustees of the P D Gordon Family Trust (“**the Appellant**”) appeal against a decision of the Queenstown Lakes District Council (“**Council**”) on the Queenstown Lakes Proposed District Plan (“**Plan**”).
2. The Appellant made a submission on the Plan (FS1193).
3. The Appellant is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. The Appellant received notice of the decision on 18 May 2018.
5. The decision the Appellant is appealing is:
  - a. The decision to depart from the notified version of the Plan with respect to the proposed Cardrona Valley Road Local Shopping Centre (“**CLSC**”) at Lot 1 DP 477622.
  - b. More particularly, the decision to reduce the area of the CLSC from 2.7 ha to 1.25 ha.
  - c. More particularly, the decision to impose a rule restricting the total combined area of retail and office activities within the CLSC to no more than 3000 m<sup>2</sup> gross floor area.
6. The reasons for the appeal are as follows:
  - a. The size of the CLSC fails to meet the current and future needs for a LSC in that part of the town.
  - b. The Respondent’s decision incorrectly interpreted objectives, policies, and other plan information relating to the role of a LSC in that part of the town.
  - c. It imposed restrictions on gross floor area which will not achieve suitable outcomes for a LSC, or the CLSC.
  - d. It failed to give any or appropriate weight to expert evidence called by the Appellant.
7. The Appellant seeks the following relief:
  - a. A decision of the Court reflecting the notified version of the Plan.
  - b. Any other relief appropriate or necessary to give effect to the Appeal.
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 this 18<sup>th</sup> day of June 2018



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J.G. Hardie  
Counsel for the Appellant

Address for service of Appellant:  
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Alexandra  
Ph 03 440 0026  
Contact person: Dave Gibson  
Email: [dave.gibson@awslegal.com](mailto:dave.gibson@awslegal.com)

### **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](#)).

#### *\*How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not attach a copy of the appellant's submission and (*or or*) the decision (*or part of the decision*) appealed. 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.