

Form 7

Notice of appeal to Environment Court against decision on proposed policy
statement or plan or change or variation

Clause 14(1) of Schedule 1, Resource Management Act 1991

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

I, Camden Brian Pyke, appeal against a part of a decision of Queenstown Lakes District Council on the following policy statement being the Urban Intensification Variation to the Queenstown Lakes District Plan.

I made a submission on that variation.

I am not a trade competitor for the purposes of section 308D of the Act.

I am directly affected by an effect of the subject of the appeal that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

I received notice of the decision on 20th February, 2026.

The decision was made by Queenstown Lakes District Council (QLDC).

The part of the decision that I am appealing against is:

- The decision to adopt the recession plane standard at 7.5.5, which requires the application of recession planes to development on all (flat and sloping) sites and amendment to the exemptions and change of activity status of a breach of the standard from non-complying to restricted discretionary, with inclusion of matters of discretion.

The reasons for the appeal are as follows:

I oppose the revision of this standard on the basis that the decision:

- Creates widespread implications, reducing the viability of infill development.

Counter to the opinions provided in the UD review report relied upon from Mr Wallace (B&A) I believe potential implications arising from the revised standard are widespread on redevelopment and infill sites – particularly in steep, south facing suburbs such as Fernhill, Queenstown Hill, Goldfield Heights; and to a lesser extent suburbs like Kelvin Heights.

Sites in these suburbs often have natural ground levels with slopes near to, or in excess of the 35 degree recession envelopes. As a result, the implementation of recession planes means that in some instances, on south facing sites with northern road frontages, development becomes almost impossible without breaching the standard. The result is

that steep sites like these will now require a Resource Consent to enable development, and the size of the envelope achievable is reduced compared to the existing intensity and character of the zone.

- Does not meet the Policies of Chapter 7, specifically 7.2.1.2 and 7.2.1.3. and
- Will result in reduced intensification, counter to the purpose of the variation and the NPS-UD.

The introduction of recession planes on sloping sites does not meet the Policies 7.2.1.2 and 7.2.1.3 of Chapter 7. It limits the efficient use of the land and will reduce the density of infill development compared to existing dwellings and result in less affordable housing as a result.

As outlined in evidence in the hearing by Ms Costello (and supported by Mr Freeman), “the application of recession planes to Sloping Sites, results in the potential for significantly reduced building envelopes... which is counter to the stated intent of the UIV.”

This in turn makes it less appealing to develop on infill sites, or redevelop existing dwellings, reducing the likelihood of increased intensification.

- Will complicate the assessment of applications and create ambiguity.

The increased height plane of 8m implemented under the revised 7.5.1 does not provide sufficient relief to address the above concerns and the change to restricted discretionary status of non-compliances alongside this introduces additional uncertainty and assessment requirements in Council’s decision-making process –creating more cost and barriers for applicants and development.

As such, I disagree with Ms Bowbyes (in the Recommendations of the Independent Hearing panel), that the revised standard will simplify the assessment of development applications and remove barriers to intensification; rather it will complicate them, create ambiguity and result in less intensification.

I seek the following relief:

That the standard is revised so that:

- Recession planes in the Suburban Zone only apply to flat sites and accessory buildings on sloping sites (as per previous PDP standard 7.5.5) and the height plane definition of 7.5.1 remains as 8m for simplicity, or
- Recession planes in the Suburban Zone only apply to flat sites and accessory buildings on sloping sites and that 7.5.2 is reinstated to dictate a height plane of 7m on sloping sites and its exceedance as a non-compliant activity (as per previous PDP standards 7.5.5 and 7.5.2)

I also seek the following:

- any other additional or consequential relief to the PDP text (including to the objectives, policies and definitions) or maps that will give effect to the matters raised in this appeal;
- such alternative or further relief as may be considered appropriate by the Court; and
- costs of, and incidental to, this appeal.

I attach the following documents* to this notice:

- (a) a copy of my submission *or* further submission (with a copy of the submission opposed or supported by my further submission):
- (b) a copy of the relevant decision (*or* part of the decision):
- (c) any other documents necessary for an adequate understanding of the appeal:
- (d) a list of names and addresses of persons to be served with a copy of this notice.

*These documents constitute part of this form and, as such, must be attached to both copies of the notice lodged with the Environment Court. The appellant does not need to attach a copy of a regional or district plan or policy statement. In addition, the appellant does not need to attach copies of the submission and decision to the copies of the notice served on other persons if the copy served lists these documents and states that copies may be obtained, on request, from the appellant.

Date: 07.04.2026



Signature of appellant:
(*or* person authorised to sign
on behalf of appellant)

Address for service of appellant:
79 Cedar Drive, Kelvin Heights,
Queenstown, 9300
Telephone: 022 398 9195
Fax/email: cam.pyke@gmail.com
Contact person: Cam Pyke

Note to appellant*Appeals other than in relation to freshwater planning instruments*

You may appeal only if—

- you referred in your submission or further submission to the provision or matter that is the subject of your appeal; and
- in the case of a decision relating to a proposed policy statement or plan (as opposed to a variation or change), your appeal does not seek withdrawal of the proposed policy statement or plan as a whole.

The Environment Court, when hearing an appeal relating to a matter included in a document under section 55(2B) of the Act, may consider only the question of law raised.

Appeals in relation to freshwater planning instruments

You may appeal only if—

- you addressed in your submission or further submission the provision or matter that is the subject of your appeal; and
- the relevant regional council rejected a recommendation of the freshwater hearings panel and decided an alternative solution which resulted in—
 - (a) the provision or matter being included in the freshwater planning instrument; or
 - (b) the provision or matter being excluded from the freshwater planning instrument.

If a regional council decides to reject a recommendation of the freshwater hearings panel that is outside the scope of submissions, you may appeal to the Environment Court in respect of that decision or the alternative solution proposed by the council if you made a submission.

Notes for all appeals

Your right to appeal may be limited by the trade competition provisions in Part 11A of the Act.

You must lodge the original and 1 copy of this notice with the Environment Court within 30 working days of being served with notice of the decision to be appealed. The notice must be signed by you or on your behalf. You must pay the filing fee required by regulation 35.

You must serve a copy of this notice on the local authority that made the decision and on the Minister of Conservation (if the appeal is on a regional coastal plan), within 30 working days of being served with a notice of the decision.

You must also serve a copy of this notice on every person who made a submission to which the appeal relates within 5 working days after the notice is lodged with the Environment Court.

Within 10 working days after lodging this notice, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service for each person served with this notice.

However, you may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (*see* form 38).

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 Act.

You may apply to the Environment Court under section 281 of the Act 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 have attached 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.

*Delete if these documents are attached to copies of the notice of appeal served on other persons.

Advice

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

Schedule 1 form 7: replaced, on 3 September 2020, by regulation 7(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2020 (LI 2020/180).