

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV-2026-CHC-

**I MUA I TE KŌTI TAIAO
KI ŌTAUTAHI**

UNDER the Resource Management Act 1991

IN THE MATTER of an appeal under clause 14(1) of
Schedule 1 of the Act

BETWEEN **WILLOWRIDGE DEVELOPMENTS
LIMITED, ORCHARD ROAD
HOLDINGS LIMITED, AND THREE
PARKS PROPERTIES LIMITED**

Appellant

AND **QUEENSTOWN LAKES DISTRICT
COUNCIL**

Respondent

NOTICE OF APPEAL

Dated: 2 April 2026

Todd Walker

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TO: The Registrar
Environment Court
Christchurch

AND TO: The Respondent

AND TO: Every person who made a submission on the provision or matter to which the appeal relates

This document notifies you that –

- [1] Willowridge Developments Limited, Orchard Road Holdings Ltd, and Three Parks Properties Limited (**Appellant**) appeals against part of a decision of the Queenstown Lakes District Council (**Council**) on the urban intensification variation (**Variation**) to the Queenstown Lakes Proposed District Plan.
- [2] The Appellant made a submission on the Variation.
- [3] The Appellant is not a trade competitor for the purposes of s 308D of the Resource Management Act 1991 (**Act**).
- [4] The Appellant received notice of the decision on 20 February 2026.
- [5] The parts of the decision the Appellant is appealing are:
 - (a) Amendments to Rule 27.7.15, specifically the change in activity status from controlled to restricted discretionary for subdivision that complies with the Three Parks Structure Plan.
 - (b) Amendments to the minimum lot sizes in Rule 27.6.1, specifically:
 - (i) the introduction of a minimum lot size of 600m² for subdivision within the High Density Residential A Zone (**HDRAZ**) in Three Parks; and
 - (ii) the increase in the minimum lot sizes from 450m² to 600m² for subdivision within the High Density Residential Zone (**HDRZ**) outside Three Parks.
 - (c) The rezoning of land to the west of Ballantyne Road (and bounded by Riverbank, Orchard, and Cardrona Valley Road, referred to as '**Area A**' in the Council's decision) from Lower Density Suburban

Residential Zone (**LDSRZ**) to Medium Density Residential A Zone (**MDRAZ**).

[6] The reasons for the appeal are as follows:

- (a) The Appellant owns land located within Three Parks and adjacent to Ballantyne Road, Wānaka. The Appellant's land has been affected by the Variation.
- (b) In relation to the amendments to Rule 27.7.15:
 - (i) The Council did not have scope to change the activity status for subdivision that complies with the Three Parks Structure Plan from controlled to restricted discretionary. The notified activity status for this activity was controlled. No submission sought a more restrictive activity status or regime apply to the activity.
 - (ii) The Council erred in adopting the recommendation of the Council's planner, Ms Morgan, that any subdivision that complies with the Three Parks Structure Plan should be restricted discretionary. Ms Morgan's recommendation purported to be based on a concern with the effects of residential subdivision. However, it overlooked the fact that under Rule 27.7.15.2 any subdivision within the residential zones in Three Parks is already a discretionary activity.
- (c) In relation to amendments to Rule 27.6.1:
 - (i) The Council did not have scope to introduce a minimum lot size for subdivision within the HDRAZ in Three Parks. The notified Variation had no such minimum lot size for high density residential in Three Parks. No submission sought a minimum lot size be introduced or a more restrictive regime apply for subdivision within this location.
 - (ii) The Council was not presented with any evidence to support the introduction of a minimum lot size for the HDRAZ within Three Parks.

- (iii) The Council erred in finding that larger minimum lot sizes in the HDRZ would result in increased density in the form of a greater number of residential units contained within the same site. The maximum number of residential units that can be constructed on a single site within the HDRZ and HDRAZ is (and remains) three. The increase in minimum lot sizes from 450m² to 600m² will therefore not enable any additional number of units and will overall decrease rather than increase residential density.
- (d) In relation to the rezoning of the land referred to as Area A:
 - (i) The Council did not have scope to rezone Area A as MDRAZ. This area was not included as being proposed to be rezoned under the Variation. Nor was the rezoning of the area consequential to the changes introduced by the Variation. Accordingly, submitters were not afforded the opportunity to consider the Variation as it applied to Area A.
 - (ii) The Council's accessibility and demand analysis which formed the basis of the rezoning of land under the Variation did not support the upzoning of this land.
- (e) The decision does not represent the most appropriate way of achieving the objectives of the Variation under s 32 of the Act.
- (f) The decision does not give effect to the relevant provisions of the National Policy Statement on Urban Development 2020.
- (g) The decision does not accord with the relevant provisions of Part 2 of the Act.

Relief sought

[7] The Appellant seeks the following relief:

- (a) the retention of a controlled activity status for the subdivision of commercial / business zoned land at Three Parks;

- (b) the removal of the minimum lot size introduced for HDRAZ land within Three Parks;
- (c) the retention of the 450m² minimum lot size for HDRZ land outside Three Parks;
- (d) the retention of the notified LDSRZ for Area A; and
- (e) any other or consequential relief that would give effect to the relief sought by the Appellant.

Attachments

[8] The following documents are **attached** to this notice:

- (a) A copy of the Appellant's submission (**Attachment A**);
- (b) A copy of the Council's decision (**Attachment B**); and
- (c) A list of parties to be served with a copy of this notice of appeal (**Attachment C**).

Dated: 2 April 2026



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Signed for Willowridge Developments Limited, Orchard Road Holdings Limited, and Three Parks Properties Limited by their solicitor and duly authorised agent
B B Gresson / L C King

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Advice to recipients of copy of notice of appeal

How to become a party to proceedings

If you wish to become a party to the appeal, you must,—

- a) 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
- b) within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

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).

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.

Advice

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