

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2018-CHC-

IN THE MATTER of an appeal under clause 14,
Schedule 1 of the Resource
Management Act 1991

BETWEEN **JEREMY BELL INVESTMENTS
LIMITED**

Appellant

AND **QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

**NOTICE OF APPEAL UNDER CLAUSE 14 SCHEDULE 1 OF THE
RESOURCE MANAGEMENT ACT**

**GALLAWAY COOK ALLAN
LAWYERS
DUNEDIN**

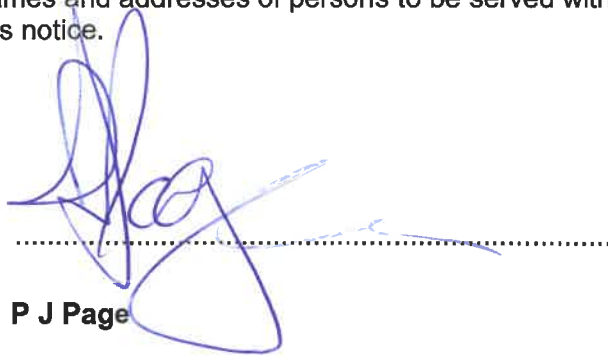
Solicitor on record: Phil Page
Solicitor to contact: Phil Page
P O Box 143, Dunedin 9054
Ph: (03) 477 7312
Fax: (03) 477 5564
Email: phil.page@gallowaycookallan.co.nz

TO: The Registrar
Environment Court
PO Box 2069
Christchurch

Email: Christine.mckee@justice.govt.nz

1. Jeremy Bell Investments Limited ("JBIL") appeals against a decision of the Queenstown Lakes District Council ("QLDC") on the following:
 - (a) Stage 1 Proposed QLDC District Plan.
2. JBIL made a submission on that plan change (Submission number OS 820).
3. JBIL received notice of the decision on 7 May 2018.
4. The decision was made by QLDC.
5. The decision that JBIL are appealing are:
 - (a) Part of Report 16.12 to decline the rezoning of the entire 93.2 hectare area within Lots 1-3 DP 300397 and Section 32 BLK VI Tarras SD (Computer Freehold Register 2455) located on Smith Road in the QLDC Proposed District Plan ("PDP") from a Rural Zone to a Rural Lifestyle Zone ("the Decision")
6. The reasons for the appeal are:
 - (a) QLDC erred in:
 - (i) Finding that the upper terrace of the original proposal is inappropriate for being clearly visible from Mt Barker Road and Smith Road.
 - (ii) Assuming that Smith Road is a legal road or public place.
 - (iii) Concluding that the visual effects from the eastern half of the upper terrace could not be managed by Rural Lifestyle zoning provisions or the proposed bespoke rules.
 - (iv) Finding that the potential density of development in the upper terrace is inappropriate because of the perceived adverse effects on the landscape character and visual amenity.
 - (v) Finding that the rural lifestyle development would be contrary to recommended Policy 6.3.26 in particular.
7. JBIL seeks the following relief:

- (a) That the proposed Rural Lifestyle zoning of the site be granted in its entirety.
 - (b) In the alternative that an additional area of equivalent size to the proposed rezoning of the upper terrace shall instead be rezoned Rural Lifestyle on the lower portion of the submitter's property.
8. JBIL attaches the following documents to this notice:
- (a) A copy of JBIL's original submission;
 - (b) A copy of the Decision;
 - (c) A list of names and addresses of persons to be served with a copy of this notice.



P J Page

Counsel for Jeremy Bell Investments Limited

DATED this 15 day of June 2018

Address for service

of Appellant: C/- Gallaway Cook Allan
123 Vogel Street
P O Box 143
Dunedin 9054

Telephone: (03) 477 7312
Fax: (03) 477 5564
Contact person: Phil Page

Advice to Recipients of Copy of Notice of Appeal

1. How to become 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 within 15 working days after the period for lodging a notice of appeal ends.

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).

2. 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 the decision appealed. These documents may be obtained, on request, from the Appellant.

3. Advice:

If you have any questions about this notice, contact the Environment Court unit of the Department for courts in Christchurch.

Contact Details of Environment Court for Lodging Documents

Documents may be lodged with the Environment Court by lodging them with the Registrar:

The Christchurch address of the Environment Court is:

282 Durham Street
Christchurch 8013

Its Postal address is:

P O Box 2069
Christchurch 8140

And its telephone and fax numbers are:

Telephone: (03) 962 4170
Fax: (03) 962 4171