

**IN THE ENVIRONMENT COURT OF NEW ZEALAND  
CHRISTCHURCH REGISTRY**

**I MUA I TE KŌTI TAIAO O AOTEAROA  
TE ŌTAUTAHI ROHE**

**ENV-2026-CHC-029**

**UNDER**

The Resource Management Act  
1991 (**RMA**)

**IN THE MATTER**

An appeal pursuant to Clause 14(1)  
of the First Schedule of the RMA

**BETWEEN**

**FORTUNE FOUNTAIN GROUP  
LIMITED**

Appellant

**AND**

**QUEENSTOWN LAKES DISTRICT  
COUNCIL**

Respondent

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**NOTICE OF WISH TO BE PARTY TO APPEAL**

*Pursuant to section 274 of the Resource Management Act 1991*

Dated: 29 April 2026

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GRESSON DORMAN & CO  
Solicitors  
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Solicitor acting: L K O'Brien / N A Hornsey  
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**TO:** The Registrar  
Environment Court  
Christchurch

1 Mark William Russell Hervey, Samuel Mark Fisher Hervey, and H C Trustees 2024 Limited in their capacity as trustees of the Ickworth Trust (**Ickworth Trust**) wish to be a party to the following proceedings:

(a) *Fortune Fountain Group Limited v Queenstown Lakes District Council* (ENV-2026-CHC-029) being an appeal dated 07 April 2026 under clause 14(1) of Schedule 1 of the Resource Management Act 1991 (**RMA**) against the decision of the Queenstown Lakes District Council (**QLDC**) on the Urban Intensification Variation (**UIV**) to the Queenstown Lakes Proposed District Plan (**PDP**) (the **Appeal**).

2 Ickworth Trust has an interest in the proceedings that is greater than the interest of the general public has because:

(a) Ickworth Trust owns the property located at 20 Lismore Street, Wānaka (the **Property**), located within the High Density Residential Zone (**HDRZ**). The Property is a sloping site.

(b) Ickworth Trust has lodged a land use consent application with QLDC to authorise the construction of a three-level residential dwelling and associated earthworks on the Property.

3 Ickworth Trust is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

4 Ickworth Trust is interested in the appeal point relating to the recession plane rule 9.5.3.

5 Ickworth Trust supports the relief sought by the Appellant because:

(a) The recession plane rule 9.5.3 has the potential to constrain the future activities of the Ickworth Trust in relation to the proposed building activity on the Property;

(b) The recession plane rule 9.5.3 has the potential to constrain the future activities of the Ickworth Trust in relation to the proposed

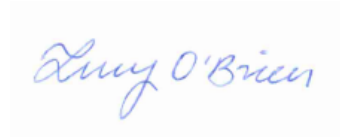
building activity on the property because the rule is inconsistent with:

- (i) The purpose and principles in Part 2 RMA;
- (ii) Section 32 RMA;
- (iii) Policy 5 and Policy 6 of the National Policy Statement for Urban Development; and
- (iv) The requirements for district plans set out in sections 72, 74, and 75 of the RMA.

6 Ickworth Trust supports the relief requested by the Appellant, and considers the decisions version of the PDP E-Plan gives better effect to the purpose of the RMA than the recommended amendments contained in the Independent Hearing Panel Recommendation Report.

7 Ickworth Trust agrees to participate in mediation or other alternative dispute resolution proceedings.

Dated: 29 April 2026



Lucy O'Brien / Nicola Hornsey  
Counsel for Ickworth Trust

**Address for service of person wishing to be a party:**

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