

BEFORE THE ENVIRONMENT COURT  
I MUA I TE KOOTI TAIAO O AOTEAROA

IN THE MATTER of the Resource Management Act 1991  
AND of an application for waivers and directions  
under section 281 of the Act by  
QUEENSTOWN LAKES DISTRICT  
COUNCIL  
(ENV-2018-CHC-24)  
Applicant

---

MINUTE (30 April 2018)

---

**Introduction**

[1] The Registrar has referred to me the application by the Queenstown Lakes District Council ("the Council") dated 27 April 2018 seeking an amendment to the court's directions in its Minute dated 26 April 2018 concerning potential appeals on the proposed Queenstown Lakes District Plan.

[2] The Council advises that through an oversight, it omitted to obtain directions that an appellant serve an original submitter on the same issue if the appeal is based on a further submission on that original submission.

[3] Counsel for the Council requests that this oversight be rectified by amending the direction at paragraph [7](2)(a)(iii) of the Minute as follows (underlining showing additions and ~~strikeout~~ showing deletions):

- (iii) served on the person who made the original submission which is the subject of the appeal, and every person who made a further submission on the the same original submission ~~which is the subject of the appeal.~~

[4] The court agrees with the substance of the proposed amendment. Consequently direction [7](2)(a) and (c) are amended to read as follows (underlining showing additions and ~~strikeout~~ showing deletions):



- (a) ...
- (iii) served on the person who made the original submission which is the subject of the appeal, and on every person who made a further submission on the the same original submission which is the subject of the appeal.
- ...
- (c) service of the notice of appeal on every other person (not being an original or further submitter – all of whom are to be served in accordance with paragraph (2)(a)(iii) above) who made a submission on a provision, requirement or matter to which the appeal relates will be deemed to be effected by the Council uploading copies of all notices of appeal onto its website as soon as possible after the appeal is received by the Council.

[5] A further consequential change is that there will need to be an additional paragraph 3(2)(a)(iii) included in the draft notice attached as Appendix "A" to the Minute of 26 April 2018. This would read:

- (iii) where your appeal is based on a further submission that you made, on the person who made the related original submission and every other person who made a further submission on that same original submission.

[6] A copy of the full amended notice is annexed marked "B" (it includes some other minor improvements in layout).

  
 \_\_\_\_\_  
**J R Jackson**  
**Environment Judge**



Issued: **30 APR 2018**

**Notice of Queenstown Lakes District Council  
Special procedural arrangements in relation to service of appeals  
and section 274 notices on Stage 1 of the PDP**

[1] The Queenstown Lakes District Council (Council's decisions) on Stage 1 of its Proposed District Plan (PDP) were publicly notified on 4 May 2018. The Council's public notice of its decisions can be viewed on the Council's website here:

<https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-1/decisions-stage-1/>

[2] The Environment Court has by Minutes dated 26 April 2018 and 30 April 2018 in *re Queenstown Lakes District Council* [ENV-2018-CHC-24] put in place special procedural arrangements for dealing with service of any appeals lodged on the Council's decisions on the Stage 1 provisions and the Council's designations (note that the special arrangements do not apply for appeals on any notices of requirement of any other requiring authorities).

[3] The special procedural arrangements are set out in the following paragraphs.

Notices of appeal:

1. Notices of appeal must be lodged with the Environment Court both:
  - (a) electronically by email to: [Christine.McKee@justice.govt.nz](mailto:Christine.McKee@justice.govt.nz); and
  - (b) by posting a hard copy to: PO Box 2069, 20 Lichfield Street, Christchurch in accordance with the standard requirements set out in the Resource Management Act 1991 and the Resource Management (Forms, Fees, and Procedure) Regulations 2003.
  
2. The requirements relating to the service of notices of appeal have been altered under section 281 of the RMA with the effect that:



- (a) notices of appeal must be served on:
- (i) the Council at its dedicated email address: [dpappeals@qldc.govt.nz](mailto:dpappeals@qldc.govt.nz); and
  - (ii) where your appeal is based on an original submission that you made, on every person that made a further submission on the relevant original submission point;
  - (iii) where your appeal is based on a further submission that you made, on the person who made the related original submission and every other person who made a further submission on that same original submission.
- (b) service on every other person who made a submission on a provision requirement or matter to which your appeal relates will be deemed to be effected by the Council uploading copies of all notices of appeal onto its website.

Section 274 notices:

3. Section 274 notices must be lodged with the court electronically by email to [Christine.McKee@justice.govt.nz](mailto:Christine.McKee@justice.govt.nz) in accordance with the standard requirements set out in the Resource Management Act 1991 and the Resource Management (Forms, Fees, and Procedure) Regulations 2003.
4. The requirements relating to the service of section 274 notices have been altered to the effect that:
- (a) section 274 notices must be served on the Council electronically by email to: [dpappeals@qldc.govt.nz](mailto:dpappeals@qldc.govt.nz) and on the appellant; and
  - (b) service of section 274 notices on “all other parties” will be deemed to be effected by the Council uploading copies of section 274 notices received onto its website.



Other waivers and directions

[4] The full set of waivers and directions granted by the Environment Court in its Minutes can be viewed on the Council's website here:

<https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-1/xxxxxx>

[5] What does this mean for you? In summary two things:

- (1) in order to determine whether you are affected by someone else's appeal or section 274 notice you must review the notices of appeal and section 274 notices on the Council's website;
- (2) the lodging and service of documents should be as stated in [3] above; and
- (3) an email will be sent to all submitters who provided an email address when a new notice of appeal or section 274 notice is uploaded onto the Council's website.

[6] If you have any queries about the process to be followed please contact the Environment Court's Hearing Manager Ms Christine McKee at:

- telephone: (03) 365 0905; or
- email: [Christine.McKee@justice.govt.nz](mailto:Christine.McKee@justice.govt.nz).

