

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

I MUA I TE KŌTI TAIAO O AOTEAROA

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an appeal under Clause 14 of
Schedule 1 of the Act

BETWEEN

TIMOTHY DRUMMOND HARDLEY

Appellants

AND

**QUEENSTOWN LAKES DISTRICT
COUNCIL**

Respondent

NOTICE OF APPEAL

Dated: 7 May 2019

Solicitors:

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To: The Registrar
Environment Court
Christchurch

1. Timothy Drummond Hardley (“**Appellant**”) appeals against a decision of the Queenstown Lakes District Council (“**Council**”) on its Proposed District Plan (“**Plan**”).
2. The Appellant made a submission on the Plan.
3. The Appellant is not a trade competitor for the purpose of section 308D of the Resource Management Act 1991.
4. The Appellant received notice of the decision on 21 March 2019.
5. The decision the Appellant is appealing is:
 - a. The rejection in part of the Appellant’s submission seeking Rural Amenity Zoning for the part of the Fitzpatrick Basin, being the land to the south of Fitzpatrick Road and bordered by the Shotover River to the south (Lot 1 DP 476877).
6. The reasons for the appeal are as follows:
 - a. The Council in notifying these properties under Stage 1 of the Plan correctly determined that Rural was the appropriate zoning for the land.
 - b. The Council in notifying and determining the zoning of the land under Stage 2 as Wakatipu Basin Lifestyle Precinct (“**WBLP**”) was wrong to determine that such properties were capable of absorbing additional residential development.
 - c. The Hearings Panel partly accepted the Appellant’s submission in rezoning land within the Fitzpatrick Basin as Wakatipu Basin Rural Amenity Zone but failed to recommend extending such rezoning to the balance of the land identified in the Appellant’s submission.
 - d. The failure to rezone this land and the potential the WBLP zoning gives for development means the amenity the Appellants enjoy will be significantly detrimentally affected.
 - e. The decision to rezone those properties WBLP was contrary to Part 2 of the Resource Management Act 1991.
7. The Appellant seeks the following relief:
 - a. That the decision of the Council be overturned, and the Appellants’ appeal seeking Rural Amenity Zone for all of the land identified in the Appellant’s submission be accepted.
8. The following documents are attached to this notice:
 - a. A copy of the Appellant’s submission;
 - b. A copy of the decision; and
 - c. A list of names and addresses to be served with a copy of this notice.

Dated: 7 May 2019



Signed for the Appellant
by their solicitor and duly authorised agent
Graeme Morris Todd/Benjamin Brett Gresson

Address for service of the Appellant:

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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 lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court, and serve copies on the other parties, within 15 working days after the period for lodging a notice of appeal ends.

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.

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).

Advice

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