

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

LAKE MCKAY STATION
LIMITED

Appellant

AND

QUEENSTOWN LAKES
DISTRICT COUNCIL

Respondent

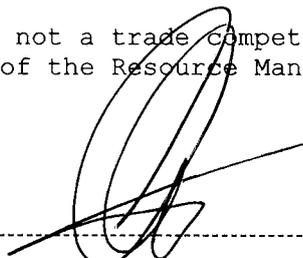
NOTICE OF APPEAL UNDER CLAUSE 14 SCHEDULE 1 OF THE
RESOURCE MANAGEMENT ACT

TO: The Registrar
Environment Court
PO Box 2069
Christchurch

Email: Christine.mckee@iustice.govt.nz

1. Lake McKay Station Limited ("LMS") appeals against a decision of the Queenstown Lakes District Council ("QLDC") on the following:
 - (a) Stage 1 Proposed QLDC District Plan.
2. LMS made a submission on that plan change (Submission number 482).
3. The decision was made by QLDC
4. LMS received notice of the decision on 7 May 2018 via their agent Mike Kelly of WSP Opus. However, the owner of LMS was overseas and not contactable and hence did not receive notice of the Decisions until recently and has since decided to appeal the Decision. An application (under section 281; RMA 1991) to waive the time requirement in order to lodge a late appeal has been submitted to the Environment Court along with this Notice of Appeal.
5. The part of the decision that LMS are appealing is the rejection of the request to relocate the ONL line that crosses Lake McKay Station land on District Plan Maps 11 and Map 18.
6. The reasons for the appeal are:
 - (a) QLDC erred in its decision on the ONL for the following reasons;
 - (i) At the hearing the Councils Landscape architect erred in defining the ONL in the CODC, adjacent to the District boundary.
 - (ii) Not accepting the submitter's argument that the ONL should not be placed where there is disagreement by several professional landscape architects as to where the ONL boundary line should be.
 - (iii) Not accepting the submitters argument due to not having an expert landscape architect at the hearing to support their argument.
 - (iv) Adopting the evidence of Councils landscape architect (Ms Mellisop) that the Hillock known as Knob A3KV is different to the land immediately to the west of this hillock.
 - (v) Not giving consideration to the submitters argument that land assigned the classification of ONL is overly restrictive on farming use and any alternative land use despite the land already having being modified from its natural state..
7. LMS seeks the following relief:

- (a) That the LMS submission on the location of the ONL be accepted.
8. LMS attaches the following documents to this notice:
- (a) A copy of LMS original submission and supporting evidence that provides clarification of the 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.
9. The Appellant is not a trade competitor for the purposes of Section 308D of the Resource Management Act



Colin Harvey
As owner of Lake McKay Station Limited

DATED this 3rd day of July 2018

Address for service

of Appellant: C/- WSP Opus
69 Tarbert St
P O Box 273
Alexandra 9320

Telephone: (03)440 2408
Cell phone; 027 243 2675
Contact person: Mike Kelly

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