

In the Environment Court of New Zealand
Christchurch Registry

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2018-CHC-

Under the Resource Management Act 1991 (**RMA**)

In the matter of an appeal under Clause 14(1) of Schedule 1 of the RMA in relation to the Proposed District Plan – Stage 1

Between **Southern District Health Board**

Appellant

And **Queenstown Lakes District Council**

Respondent

Notice of appeal

18 June 2018

Appellant's solicitors:

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To: The Registrar
Environment Court
Christchurch

- 1 Southern District Health Board (**SDHB**) appeal against part of the decision of Queenstown Lakes District Council (**QLDC**) on the Proposed District Plan – Stage 1 (**PDP**).
- 2 SDHB made a submission on the PDP.
- 3 SDHB is not a trade competitor for the purpose of section 308D of the RMA.
- 4 SDHB received notice of the decision on 7 May 2018.
- 5 The decision was made by QLDC.
- 6 The parts of the decision appealed relate to:
 - (a) Reinstatement of a Community Facility zone over the Lakes District Hospital site; alternatively
 - (b) Rule 7.4.9; and
 - (c) Policy 7.2.5.1.

Reinstatement of a Community Facility Zone

- 7 The Operative Plan zones the Lakes District Hospital site as a Community Facility Sub Zone that permits hospital activities subject to meeting a variety of performance standards. This Sub Zone is not included in the PDP and instead the general Lower Density Suburban Residential Zone is used.
- 8 The Lakes District Hospital is critical infrastructure for Queenstown and the wider area. It is appropriate for the PDP to specifically provide for this Hospital with an appropriate spot zone.

Relief sought

- 9 Reinstatement of a spot zone that permits hospital activities subject to reasonable performance standards.
- 10 In addition to the above, the following relief is also sought:
 - (a) Any additional or alternative relief that achieves the same or similar outcome; and
 - (b) Consequential or ancillary changes to the above.

- 11 SDHB's preference is for a spot zone but in the alternative amendments to Rule 7.4.9 and Policy 7.2.5.1 are sought.

Rule 7.4.9

- 12 The Lakes District Hospital site and surrounds has been rezoned to Lower Density Suburban Residential and "community activities", which includes the hospital activity have been given a discretionary activity status at Rule 7.4.9 (previously Rule 7.4.8).
- 13 Discretionary activity status for "community activities" means that SDHB will unnecessarily need resource consent for any new developments associated with the Lakes District Hospital. If the activity status was permitted then the standards specified in Rule 7.5 would still apply, meaning that resource consent would be required for buildings over 8m, or building coverage over 40%.

Relief sought

- 14 Amend the activity status of "community activities" in the Lower Density Suburban Residential Zone from discretionary to permitted at Rule 7.4.9.
- 15 In addition to the above, the following relief is also sought:
- (a) Any additional or alternative relief that achieves the same or similar outcome; and
 - (b) Consequential or ancillary changes to the above.

Policy 7.2.5.1

- 16 Policy 7.2.5.1 (previously Policy 7.2.6.1) enables the establishment of community activities where adverse effects on residential amenity values can be "avoided or mitigated". SHDB generally supports this policy except for the exclusion of "remedying" for addressing adverse effects.
- 17 Effects of any community developments should be addressed by avoidance, remedy or mitigation.

Relief sought

- 18 Insert the words "or remedied" in Policy 7.2.5.1 after "avoided".
- 7.2.5.1 Enable the establishment of community activities where adverse effects on residential amenity values including noise, traffic, lighting, glare and visual impact can be avoided or remedied or mitigated.
- 19 In addition to the above, the following relief is also sought:

- (a) Any additional or alternative relief that achieves the same or similar outcome; and
- (b) Consequential or ancillary changes to the above.

Attachments

20 The following documents are attached to this notice:

- (a) A copy of SDHB's submission;
- (b) A copy of the relevant part of the decision; and
- (c) A list of names and addresses of persons to be served with this notice.

Dated this 18th day of June 2018



Michael Garbett/Rachel Brooking
Counsel for the Appellant

Address for service of person wishing to be a party

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Advice

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