

In the Environment Court of New Zealand  
Christchurch Registry

I Te Koti Taiao o Aotearoa  
Ōtautahi Rohe

ENV-2017-CHC-

---

Under	the Resource Management Act 1991 ( <b>RMA</b> )
In the matter of	An appeal under clause 14(1) of Schedule 1 of the RMA in relation to the proposed Queenstown Lakes District Plan
Between	<b>Republic Hospitality Group Limited</b> Appellant
And	<b>Queenstown Lakes District Council</b> Respondent

---

**Notice of Appeal**

19 June 2018

---

**Contact details for the appellant:**

Ben Farrell  
C/- John Edmonds & Associates  
Level 2, 36 Shotover Street, Queenstown 9300  
PO Box 95, Queenstown 9348  
p + 6421767622  
[ben@jea.co.nz](mailto:ben@jea.co.nz)

**To** The Registrar  
Environment Court  
Christchurch

- 1 Republic Hospitality Group Limited (**RHG**) appeals against part of the decision of Queenstown Lakes District Council on the proposed Queenstown Lakes District Plan (**PDP**).
- 2 RHG made a submission (#549) on the PDP.
- 3 RHG is not a trade competitor for the purpose of section 308D Resource Management Act 1991 (**RMA**).
- 4 RHG received notice of the decision on 7 May 2018.
- 5 The decision was made by Queenstown Lakes District Council (**QLDC**).
- 6 The parts of the decision appealed relate to parts of the District Plan which relate to the Queenstown 'Town Centre Entertainment Precinct', including the decision not to amend Planning Maps 35 and 36 by extending the extent of the Precinct to include the eastern side of Searle Lane.

### **Background**

- 7 RHG operates six Licensed Premises<sup>1</sup> in the Queenstown CBD. RHG operations in Queenstown date back to 2001. RHG currently employs more than 160 Staff.

### **Relief Sought**

- 8 Amend Planning Maps 35 and 36 to extend the eastern boundary of the Town Centre Entertainment Precinct to the western Church Street road boundary.
- 9 Amend provisions, as required, in the Queenstown Town Centre Zone (Chapter 12) so that the Entertainment Precinct provisions apply to the land between Searle Lane and Church Street.

### **Further and consequential relief**

- 10 RHG opposes any further provisions and seeks alternative, consequential, or necessary additional relief to that set out in this appeal and to give effect to the matters raised generally in this appeal and RHGs PDP submissions.
- 11 RHG also reserves its right to seek costs in respect of the resolution of its appeal.

---

<sup>1</sup> Winnies, Ballarat Trading Company, Zephyr, BarUp, Habana, Below Zero.

## Reasons

- 12 RHG supports the introduction of an entertainment precinct but believes the area of the zone should be increased. Currently the south eastern boundary lines of the proposed entertainment precinct exclude one side of Searle Lane (east side). RHG believes that both sides of Searle Lane should be included in the Entertainment Precinct. The Precinct boundary effectively cuts Searle Lane in half. Both sides of Searle Lane are already a busy vibrant hospitality precinct. RHG believe it is important that both sides of Searle Lane are included in the Entertainment Precinct to ensure the ongoing development of what is Queenstown busiest, most vibrant, diverse and most logical area within Queenstown CBD for an entertainment precinct.
- 13 The central location of Searle Lane works well to insulate noise from the surrounding area. Both sides of Searle Lane should be included in the proposed entertainment precinct to help foster further vibrancy in the area and to create fair, and easy to understand boundaries for operators and patrons operating within and enjoying the Searle Lane area.
- 14 The negative effects of including both sides of Searle Lane in the Entertainment Precinct will be minimal to non-existent whereas the upside for existing operators and patrons will be significant.
- 15 The decision to exclude the eastern side of Searle Lane in the Entertainment Precinct is not the most appropriate method for implementing the relevant district plan objectives or the purpose of the RMA. Additionally, the decision to exclude the eastern side of Searle Lane from the Entertainment Precinct is an inefficient and ineffective land use.

## Attachments

- 16 The following documents are **attached** to this notice:
  - a) **Appendix A** - A copy of the Appellants' submission;
  - b) **Appendix B** - A copy of the relevant parts of the decision; and
  - c) **Appendix C** - A list of names and addresses of persons to be served with this notice.



Dated this 19<sup>th</sup> day of June 2018

---

Ben Farrell  
Planning Consultant for Republic Hospitality Group

### **Address for service of the Appellants**

Ben Farrell

C/- John Edmonds and Associates

Level 2, 36 Shotover Street

PO Box 95

Queenstown 9300

Phone: 021 767622

Email: [ben@jea.co.nz](mailto:ben@jea.co.nz)

### **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 made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the Appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

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 or service requirements (see form 38).

#### *Advice*

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