

**BEFORE THE ENVIRONMENT COURT
IN CHRISTCHURCH**

IN THE MATTER

of the Resource Management
Act 1991

AND

IN THE MATTER

of an appeal pursuant to Clause
14 of Schedule 1 of the Act

BETWEEN

**KOPUWAI INVESTMENTS
LIMITED**

Appellant

AND

**QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

NOTICE OF APPEAL

Dated: 19 June 2018

TODD & WALKER law
LAWYERS | NOTARY PUBLIC

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To: The Registrar
Environment Court
Christchurch

1. Kopuwai Investments Limited ("**the Appellant**") appeals against a decision of the Queenstown Lakes District Council ("**Council**") on the Queenstown Lakes Proposed District Plan ("**Plan**").
2. The Appellant made a submission on the Plan.
3. The Appellant is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. The Appellant received notice of the decision on 4 May 2018.
5. The decision the Appellant is appealing is:
 - a. The zoning of the Appellant's land at Steamer Wharf, 88 Beach Street, Queenstown ("**land**") as shown in Annexure 1 to the Appellant's submission.
 - b. The rejection of the Appellant's submission seeking the inclusion of the land in the Queenstown Town Centre Entertainment Precinct ("**TCEP**").
6. The reasons for the appeal are as follows:
 - a. The Council failed to recognise the positive effects that would result in the consolidation of the land as a specific area for entertainment activities. There are currently 11 hospitality venues within Steamer Wharf. The closeness of the venues to each other would allow for easier monitoring and enforcement.
 - b. The Council erred in its findings that to include the land within the TCEP would give rise to unacceptable noise effects and effects on residential amenity.
 - c. The Council failed to properly assess the characteristics of the land and the limited number of activities that would be sensitive receivers to the activities allowed by the TCEP.
 - d. The Council failed to sufficiently acknowledge the existing activities on the land and the fact that several hospitality venues have obtained resource consents to operate during hours beyond what is permitted under the existing zoning. Such venues have successfully operated without any noise complaints or adverse impacts on the amenity of neighbouring land owners or tenants.

7. The Appellant seeks the following relief:
 - a. That the decision of the Council be overturned, and 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 this 19th day of June 2018



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

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