

BEFORE THE ENVIRONMENT COURT  
HELD AT CHRISTCHURCH

ENV-2010-CHC-262

BETWEEN                    O SNEOP  
  
   Applicant  
  
AND                            CHRISTCHURCH CITY COUNCIL  
  
   First Respondent  
  
AND                            TREVOR SIDNEY GRAHAM AND  
   DIANNE BARBARA GRAHAM  
  
   Second Respondent  
  
AND                            EVAN MITTA RAHURAHU AND  
   BEVERLEY JOAN RAHURAHU  
  
   Third Respondent  
  
   [and other Respondents as listed  
   on the following page]

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NOTICE OF OPPOSITION TO APPLICATION FOR ENFORCEMENT ORDER  
BY THE SECOND TO FOURTEENTH RESPONDENTS

Dated: 1 April 2011

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**WHITE FOX & JONES**  
Barristers and Solicitors  
P O Box 1353  
Telephone (03) 353.0650  
Facsimile (03) 353.0652  
**CHRISTCHURCH NZ**

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Solicitor Acting: T W Evatt

AND ROSEMANRY PURSE AND LORRAINE ABBOT

Fourth Respondent

AND ANN ELIZABETH JAMES

Fifth Respondent

AND RON MOORE AND JOAN MOORE

Sixth Respondent

AND SANDRA MCSHERRY AND ADRIAN ANDERSON AND HELEN TIMMS

Seventh Respondent

AND GREGORY JOHN MCCLURG AND  
TREVOR SIDNEY GRAHAM AND  
RICHARD ANDREW LOGAN

Eighth Respondent

AND JASON CUMMING MCDONALD

Ninth Respondent

AND TIMOTHY ROBERT COOK AND LYNN COOK

Tenth Respondent

AND DARYL TENNYSON NEATE

Eleventh Respondent

AND MARGARET ANNE THOMAS

Twelfth Respondent

AND KAY CAROLE HUNTER

Thirteenth Respondent

AND GORDON ROSS RICHDALE

Fourteenth Respondent

AND RAYMOND ALEXANDER RANKIN

Fifteenth Respondent

**NOTICE OF OPPOSITION TO APPLICATION FOR ENFORCEMENT ORDERS  
BY THE SECOND TO FOURTEENTH RESPONDENTS**

**TO:** The Registrar  
Environment Court  
PO Box 2069  
CHRISTCHURCH

- 1 The owners of bach numbers 28, 30, 32, 33, 47, 48, 49, 51, 52, 55, 56, 57 and 58 ("the Second to Fourteenth Respondents" or "the Bach Owners") oppose the application dated 24 February 2011 by Mr Otto Snoep for enforcement orders under sections 314 & 316 of the Act.
- 2 The Bach Owners wish to be heard on the application.
- 3 The Bach Owners were served with a copy of the application on 10 March 2011 and a copy of references referred to in Mr Snoep's affidavit on 21 March 2011.
- 4 The Bach Owners oppose the application on the following grounds:
  - 4.1 The application is based on compliance with Rule 2.4.4(d) of the Christchurch City Plan: Volume 3: Part 5 Conservation Zones: 2.4 Critical Standards: 2.4.4 Taylors Mistake Baches.
  - 4.2 Rule 2.4.4(d) Taylors Mistake Baches states:

*"Any bach located in the Conservation 1A Zone, which is not scheduled in Part 5, Appendix 1 is a prohibited activity."*
  - 4.3 Rule 2.4.4(d) is a "rule" for the purposes of s.10 of the Act.
  - 4.4 The baches are existing uses pursuant to s.10 of the Act.
- 5 The Bach Owners rely on sections 10, 314, 318 and 319 of the Resource Management Act 1991 and on the affidavit of Bradley Haig McDonald.
- 6 A list of the names and addresses of persons to be served with a copy of this Notice is set out below.

Dated this 1<sup>st</sup> day of April 2011

  
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T W Evatt

Solicitor for the Second to Fourteenth Respondents

This Notice of Opposition is filed by **Thomas William Evatt**, solicitor for the Second to Fourteenth Respondents whose address for service is at the offices of White Fox & Jones, Lawyers, Level 3, 22 Moorhouse Avenue, PO Box 1353, Christchurch. Email: [twe@whitefox.co.nz](mailto:twe@whitefox.co.nz). Phone: (03) 353 0650 (DDI (03) 353 0655).

Names and addresses of persons to be served with a copy of this reply:

Otto Sneop (the Applicant)  
233 Taylors Mistake Road  
Christchurch 8081

RA Rankin (the Fifteenth Respondent)  
45 Windabrush Avenue  
Belrose  
New South Wales 2085  
Australia

Christchurch City Council (First Respondent)  
c/- Buddle Findlay  
Attention: Mr WJ Palmer