

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
AT CHRISTCHURCH**

**I MUA I TE KŌTI TAIAO O AOTEAROA
I ŌTAUTAHI ROHE**

ENV-2019-CHC-000061

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

And

In the matter of an appeal under clause 14(1) of the First Schedule of the Act

Between **Airbnb Australia Pty Limited**

Appellant

And **Queenstown Lakes District Council**

Respondent

**Notice of wish of Bachcare Limited to be a party to proceedings under
section 274 of the RMA**

Date: 5 June 2019



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To: The Registrar
Environment Court
Christchurch

And to: The Appellant

And to: The Respondent

1 **Bachcare Limited (Bachacare)** wishes to be a party to the appeal by Airbnb Australia Pty Limited (**Appellant**) against a decision of the Queenstown Lakes District Council (**Respondent**) on its Proposed District Plan (**PDP**).

Nature of interest

- 2 Bachcare made a submission (S2620) on Stage 2 of the PDP in relation to the Visitor Accommodation Variation.
- 3 Bachcare is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

Extent of interest

- 4 Bachcare is interested in all of the appeal.
- 5 Bachcare is interested in the following particular issues:
- 5.1 The appropriate activity status for Residential Visitor Accommodation (**RVA**) and Homestays, including the default activity status for RVA where there is non-compliance with any of the permitted activity standards;
- 5.2 The applicable permitted activity and controlled activity standards for RVA and Homestays.

- 5.3 The amendments the Appellant seeks to Visitor Accommodation provisions to remove restrictions on heavy vehicles, coaches or buses picking up and dropping off guests to Residential Visitor Accommodation (**RVA**) and Homestays.
- 6 Bachcare is particularly interested in the parts of the Appellant's appeal relating to the following chapters of the PDP:
- 6.1 Chapter 7 Lower Density Suburban Residential Zone and the amendments proposed to Rule 7.4.5 and Standards 7.5.18 and 7.5.19;
- 6.2 Chapter 8 Medium Density Suburban Residential Zone and the amendments proposed to Rule 8.4.7A and Standards 8.5.17, and 8.5.18;
- 6.3 Chapter 9 High Density Suburban Residential Zone and the amendments proposed to Standards 9.5.14 and 9.5.15;
- 6.4 Chapter 10 Arrowtown Residential Historic Management Zone and the amendments proposed to Rule 10.4.5A and Standards 10.5.9 and 10.5.10;
- 6.5 Chapter 11 Large Lot Residential Zone and the amendments proposed to Rule 11.4.5 and Standards 11.5.13 and 11.5.14;
- 6.6 Chapter 16 Business Mixed Use Zone and the amendments proposed to Standards 16.5.12 and 16.5.13.
- 6.7 Chapter 21 Rural Zone and the amendments proposed to Standards 21.9.5 and 21.9.6;
- 6.8 Chapter 22 Rural Residential and Rural Lifestyle Zone and the amendments proposed to Standards 22.5.14 and 22.5.15;

- 6.9 Chapter 23 Gibbston Character Zone and the amendments proposed to Standards 25.5.12 and 25.5.13;
- 6.10 Chapter 24 Wakatipu Basin Rural Amenity Zone and the amendments proposed to Standards 24.5.20 to 24.5.22;
- 6.11 Chapter 41 Jacks Point Zone and the amendments proposed to Rule 41.4.2.1 and Standards 41.5.1.12 and 41.5.1.13;
- 6.12 Chapter 42 Waterfall Park Zone and the amendments proposed to Standards 42.5.9 and 42.5.10; and
- 6.13 Chapter 43 Millbrook Zone and the amendments proposed to Standards 43.5.14 and 43.5.15.

Position on the relief sought

7 Bachcare opposes the relief sought by the Appellant regarding the proposed deletion of rules for RVA and Homestays requiring no generation of any vehicle movements by heavy vehicles, coaches and buses to and from the site because:

7.1 Bachcare agrees with the Respondent's decision to include rules in the PDP requiring RVAs and Homestays not to generate vehicle movements by heavy vehicles, coaches or buses to and from the site.

7.2 Granting the relief sought could result in adverse effects of RVA and Homestays not being appropriately managed.

8 Bachcare otherwise supports the relief sought by the Appellant to the extent it is consistent with Bachcare's submission on the PDP because:

8.1 The provision of RVA and Homestays assists in ensuring that there is a choice of visitor accommodation, contributes to the local economy and provides an income stream for owners.

- 8.2 The potential for adverse effects on residential character and amenity to be generated by visitor accommodation is linked to the nature, scale and intensity of the particular visitor accommodation activity.
- 8.3 Where permitted activity standards are breached, the potential adverse effects of RVA and Homestays are readily identifiable.

Mediation

- 9 Bachcare agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Date: 5 June 2019



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Diana Hartley / Anne Buchanan
Counsel for Bachcare Limited

Address for service of person wishing to become a party:

This document is filed by Diana Hartley of DLA Piper New Zealand, solicitor for Bachcare Limited.

The address for service Bachcare Limited is at:

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Documents for service on Bachcare Limited may be:

- left at the above address for service, or
- posted to the solicitor at PO Box 160, Auckland 1140, or
- transmitted to the solicitor by fax on +64 9 303 2311.

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