

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2019-CHC-090

IN THE MATTER

Of an appeal on the Queenstown
Lakes District Council Proposed
District Plan (Stage 2) pursuant to
clause 14 of the First Schedule of
the Resource Management Act
1991

BETWEEN

**WATERFALL PARK
DEVELOPMENTS LIMITED**

Appellant

AND

**QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

**SECTION 274 NOTICE ON BEHALF OF JAMES AND REBECCA HADLEY
TO JOIN APPEAL ON THE QUEENSTOWN LAKES DISTRICT COUNCIL
PROPOSED DISTRICT PLAN (STAGE 2)**

**GALLAWAY COOK ALLAN
LAWYERS
DUNEDIN**

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To: The Registrar

Environment Court

Christchurch Registry

1. James and Rebecca Hadley (the **Hadleys**), wish to be a party to the following proceeding:

(a) WATERFALL PARK DEVELOPMENTS LIMITED v
QUEENSTOWN LAKES DISTRICT COUNCIL ENV-2019-CHC-
090

2. The Appellants relief generally seeks an increased density of residential development at 343 Arrowtown-Lake Hayes Road legally described as Part Lot 3 DP 5737 (contained within Record of Title 666857) and Lot 1 DP 18109 (contained within Record of Title OT9A/1001 (together referred to as **Ayrburn Farm**).

3. The Hadleys made a submission on the Queenstown Lakes District Council Proposed District Plan (Stage 2)(**PDP**)(OS2559) on the subject matter of this appeal. Rebecca Hadley made a further submission (FS2772) in opposition to the Ayrburn Farm rezoning. The Hadleys succeed the further submission of Rebecca Hadley.

4. The Hadleys are not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.

5. The Hadleys are interested in all of the proceedings, particularly the relief which enables an increased density of residential development at Ayrburn Farm than decided in the Council's Decision.

6. The Hadleys oppose the relief sought because:

(a) It will significantly weaken the edge of the Wakatipu Basin Lifestyle Precinct Zone so that its boundaries are indefensible. This will in turn encourage development creep over time.

- (b) Ayrburn Farm is contained within the Speargrass Flat Landscape Character Unit (**LCU**) identified by the Wakatipu Basin Planning Land Use Study (**WBLUS**). The Speargrass Flat LCU serves an important function as a buffer to residential development at the Lake Hayes Rural Residential LCU.
- (c) Further to the above point, the Commissioners were correct to find that Ayrburn Farm in particular serves as an important breathing space between rural residential development in North Lake Hayes and the development adjoining Millbrook and Arrowtown.
- (d) The Commissioners were correct to find that openness on the northern side of Speargrass Flat Road is an important value to be considered. This quality makes Speargrass Flat LCU very sensitive to landscape change. Development at a greater density than Wakatipu Basin Rural Amenity Zone would significantly reduce openness and open character in this area.
- (e) The reduction in a buffer between Arrowtown and the Lake Hayes Rural Residential LCU will erode the existing residents "sense of place" which is experienced through the rural landscape character, views and openness of the surrounding landscape. These landscape characteristics are critical to providing a sense of place in the Speargrass Flat LCU and will be lost if the relief is granted.
- (f) The relief will result in urban development within a rural residential setting. This juxtaposition between densities of development would be highly visible from the parts of the adjacent Queenstown Trail. This high level of visibility would be inappropriate and contrary to WBLUS.
- (g) The relief is contrary to the Strategic Objectives and Policies for urban development to be located in a rural area attached to rural-residential development.

- (h) The Commissioners were correct to place little weight on the evidence of Dr Goldsmith because the conclusions in the evidence could not be substantiated.
 - (i) Water quality at Lake Hayes is very poor and will be put at greater risk by increased development or diminish options for remediation.
 - (j) Ayrburn Farm is not serviced by a reticulated wastewater treatment scheme. Evidence presented at the hearings did not establish that residential development at an increased level would reduce nitrogen loss compared with rural land usage.
 - (k) The relief will not give effect to the National Policy Statement of Freshwater Management 2014 or the Partially Operative Regional Policy Statement 2019.
7. The Hadleys agree to participate in mediation or other alternative dispute resolution of the proceedings.



Phil Page / Simon Peirce

Counsel for the Interested Party

DATED this 31st day of May 2019.

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