

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**ENV-2018-CHCH-000053
ENV-2018-CHCH-000056**

**I TE KOTI TAIAO O AOTEAROA
OTAUTAHU ROHE**

UNDER THE

Resource Management Act 1991 ("**Act**")

IN THE MATTER OF

An appeal under Schedule 1, Clause 14(1), of the
Act

BETWEEN

FEDERATED FARMERS OF NEW ZEALAND

Appellant ENV-2018-CHCH-000053

BETWEEN

**UPPER CLUTHER ENVIRONMENTAL SOCIETY
INCORPORATED**

Appellant ENV-2018-CHCH-000056

AND

QUEENSTOWN LAKES DISTRICT COUNCIL

Respondent

**NOTICE OF THE MATUKITUKI TRUST'S
WISH TO BE PARTY TO PROCEEDINGS**

10 JULY 2018

Counsel instructed:

JGH BARRISTER

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TO: The Registrar
 Environment Court
 PO Box 2069
 20 Lichfield Street
CHRISTCHURCH
 (Christine.McKee@justice.govt.nz)

AND TO: The Appellants
 By email: dcooper@fedfarm.org.nz
 By email: uces@xtra.co.nz / julianh@xtra.co.nz

AND TO: The Respondent
 By email: dpappeals@qldc.govt.nz

Wish to be party

1. The Matukituki Trust ("**Trust**") wishes to be a party to the following appeals:
 - (a) *Federated Farmers of New Zealand* ENV-2018-CHCH-000053 ("**Federated Farmers' Appeal**"); and
 - (b) *Upper Clutha Environmental Society Incorporated* ENV-2018-CHCH-000056 ("**UCES Appeal**").

(together the "**Appeals**")

Interest

2. The Trust made a submission and further submission on the subject matter to which the Appeals relate. They are also a person who has an interest in the proceedings that is greater than the interest that the general public has. This is for reasons including:
 - (a) The Trust is the owner of a rural property located at the eastern tip of Roy's Peninsula, Lake Wanaka, legally described as Lot 5, Deposited Plan 300476, Lower Wanaka Survey District ("**Site**").
 - (b) In 2010, the Trust obtained a resource consent for the development of a dwelling and farm building on the land. The resource consent was granted by the Environment Court in Decision No. [2010] *NZEnvC 138* ("**Consent**"). This resource consent will lapse in 2020 if not given effect to.
 - (c) The Trust has been giving effect to the Consent progressively over time, including through undertaking certain planting required under the consent; obtaining consent for a farm building to facilitate the full planting programme required under the consent, obtaining a variation to the Consent to enable better sequencing of its obligations, and meeting its various resource consent obligations including submitting to Council a Pest Management Plan, Ecological Enhancement Plan, removal of stock and designing water supply systems.
 - (d) It remains possible, however, that further variations or potentially an extension to the lapse date will be sought (for completeness, given the progress that has been, and continues to be made). In

those circumstances the outcomes of the Appeals may directly affect consideration of such applications.

No prohibited trade competition purposes

3. The Trust is not a trade competitor for the purposes of Section 308D of the Act.

Extent of interest

4. The Trust is interested in all aspects of the Appeals, to the extent that they may impact on the Trust's interests in its site, and in particular:
- (a) sections 3 and 4 of the Federated Farmers' Appeal; and
 - (b) in respect of the UCES Appeal, the amendments sought, and reasons given in support, to Chapter 6 and Chapter 21 (including non-complying status for development within an ONL/ONF).

Relief sought

5. The Trust:
- (a) supports the relief in the Federated Farmers' Appeal; and
 - (b) Opposes the relief sought in the UCES Appeal;

to the extent that such relief is consistent or inconsistent with (as the case may be) the outcomes sought in the Trust's submissions and to the extent such relieve will or will not achieve (as the case may be) the purpose of the RMA.

Mediation

6. The Trust agrees to participate in mediation or other alternative dispute resolution of the proceeding.

DATED 10 July 2018



J D K Gardner-Hopkins
Counsel for the Trust

The Schrantzes' address for service is c/- James Gardner-Hopkins, Barrister, PO Box 25-160, Wellington.

Documents for service on the Trust should however be emailed to james@jghbarrister.com. Where formal service of any document is required,

service should only be considered complete and/or effective when receipt of that email is acknowledged.