BEFORE THE ENVIRONMENT COURT **ENV-2019-CHC-000035**
AT CHRISTCHURCH

I MUA I TE KOOTI TAIAO
I ŌTAUTAHI ROHE

IN THE MATTER	of the Resource Management Act 1991 (**the Act**)
AND	
IN THE MATTER	of an appeal pursuant to Clause 14(1) of Schedule 1 of the Act in relation to the proposed Queenstown Lakes District Plan
BETWEEN	**Trustees of the Boundary Trust** **Appellant**
AND	**Queenstown Lakes District Council** **Respondent**

NOTICE OF WISH OF ANDREW BARKLE AND SARAH BARKLE TO BE PARTY TO PROCEEDINGS PURSUANT TO SECTION 274 OF THE ACT

DATE: 4 JUNE 2019

[redacted] ATKINS | HOLM | MAJUREY

Vicki Morrison-Shaw
PO Box 1585
Shortland Street
AUCKLAND 1140

Solicitor on the record Vicki Morrison-Shaw Vicki.Morrison-Shaw@ahmlaw.nz (09) 304 0422

TO: The Registrar
Environment Court
CHRISTCHURCH

1. Andrew Barkle and Sarah Barkle wish to be a party pursuant to s 274 of the Act to the following proceedings:

   Trustees of the Boundary Trust v QLDC (**ENV-2019-CHC-000035**) being an appeal against a decision of Queenstown Lakes District Council on the proposed Queenstown Lakes District Plan (**PDP**) in respect of its land at 459 Arrowtown-Lake Hayes Road together with sites at 461 Arrowtown-Lake Hayes Road, 9 Orchard Hill, 29 Butel Road and 9 Butel Road (**the Land**).

NATURE OF INTEREST

2. Andrew Barkle and Sarah Barkle have an interest greater than the public generally because:

   (a) they are a registered proprietor and occupant of a residential property at 2 Goldston Court, Millbrook Resort, one of a number of residential properties whose amenities will be directly affected by the relief sought in this appeal; and because

   (b) of the necessity to develop the Millbrook Resort Zone (**MRZ**) in an integrated and efficient manner.

3. Andrew Barkle and Sarah Barkle are not trade competitors for the purposes of s 308C or s 308CA of the Act.

EXTENT OF INTEREST

4. Andrew Barkle and Sarah Barkle are interested in all aspects of this appeal and the relief sought by it.

5. Without derogating from the generality of the above, Andrew Barkle and Sarah Barkle are interested in the following particular issues:

(a) The potential amenity impacts of the proposed expansion to the MRZ in the absence of development constraints integral to the objective and policies of the MRZ including:

(i) The potential for the proposed extent and type of development, and ownership to undermine and detract from the amenity values of the MRZ including impacts on visual and open space amenity as experienced from both the resort facilities, dwellings, visitor accommodation and open space;

(ii) Potential impacts on visual and open space amenity as experienced from tracks, trails, internal roads and fairways within the resort and particularly those used by members of the Millbrook Country Club to access the resort facilities from other parts of the resort;

(iii) Potential diminution of the special qualities enabled and maintained by the MRZ and the non-statutory methods which control design, construction and behaviours on privately owned land within the MRZ;

(iv) The suitability of the Land for the development of integrated resort facilities in conjunction with the level of residential density intended by the appellant;

(v) Potential impacts on the level of service presently provided by the tracks, trails and internal roads within the resort.

(b) A fundamental lack of integration and cohesiveness between the intensive residential development sought by the appellant and the existing amenities and facilities provided by MRZ Structure Plan;

(c) The potential for the changes sought to Chapter 43 policies and rules listed at 25 (b) to (d) of the Notice of Appeal to result in high density, poor quality residential development which detracts from and undermines the landscape, visual and golf tourism amenity values of the existing resort facilities and the purpose of the MRZ;

(d) The intention of the Appellant that the Land continue to be in separate ownership and control, unfettered by the covenants and membership rules that are imposed on dwellings (and owners) within the MRZ for the purpose of achieving and maintaining the highest integrated design, build and operational standards;

(e) The intention of the Appellant as to a contrasting type and extent of residential development with no regard for its overall integration within the MRZ for the purpose of achieving and maintaining the highest integrated design, build and operational standards;

(f) The inconsistency of the relief sought with the MRZ objective for integrated development that has particular regard for landscape, heritage, ecological, and water quality values;

(g) The inconsistency of the relief sought with the MRZ policies of sustainable management of land resources for resort purposes;

(h) The potential adverse impact on the MRZ and the Millbrook brand and the contribution that both make to the social, economic and cultural wellbeing of the Queenstown Lakes District;

(i) The capacity and suitability of the Land for integrated resort facilities or activities and resort development;

(j) A lack of cohesive connection with storm water and waste water which are proposed to be discharged to land in circumstances where there is insufficient available land and no overland flow path for storm water from the site; and

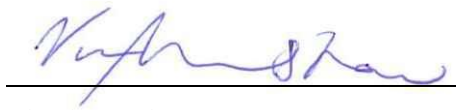
(k) The consistency of the current use of the Land with the Wakatipu Basin Rural Amenity Zone (**WBRAZ**) as proposed, and the ability of the WBRAZ to provide for a sensible low-density regime to maintain rural amenity but with a discretionary, design-led regime for any development.

6. Any further, more refined, consequential, additional, other or alternative relief that might be deemed to give effect to this appeal and/or better serve the overall objectives of the district plan and the purpose and principles of the Resource Management Act 1991.

MEDIATION

7. Andrew Barkle and Sarah Barkle agree to participate in mediation or other alternative dispute resolution.

DATE: 4 June 2019



Vicki Morrison-Shaw

Legal Counsel for Andrew Barkle and Sarah Barkle

Address for Service:	C/- Vicki Morrison-Shaw Atkins Holm Majurey Ltd Level 19, 48 Emily Place PO Box 1585, Shortland Street Auckland 1140
Telephone:	(09) 304 0294
Facsimile:	(09) 309 1821
Email:	vicki.morrison-shaw@ahmlaw.nz
Contact person:	Vicki Morrison-Shaw