

## Form 33

### Notice of person's wish to be party to proceedings

*Section 274, Resource Management Act 1991*

To: the Registrar  
Environment Court  
Auckland, Wellington, and Christchurch

I, Marc Scaife, wish to be a party to the following proceedings:

**Appeals by Mt Christina(103), Walker Trust( 099), Burdon( 91), Streat (86), Kipke(22), Waterfall park(124), Darby( 150), Allenby(148) to alter Chapter 3( Strategic Direction) policies and Chapter 22 (Rural Living) policies and rules, to allow for greater development in the Rural living zones.**

In stage 1 of the PDP I was a submitter on the provisions for chapter 22 Rural Living.

I am not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

I am interested in the following particular issue:

**I seek clear, strict rules that govern the density of development in the Rural Living zones and urge the Court to reject all appeals which seek to dilute or weaken the protection granted in the PDP to the low density development of these zones and to their natural character and amenity.**

All the above appellants listed above appear to share the same (appendix A) spreadsheet describing the specific PDP objectives, policies or rules they wish to appeal. If this spreadsheet correctly states their position, then their appeals are all the same in the following respects and my objections to them are as per below:

The appellant specifically states that PDP policies 3.3.24 and /or 3.3.32( policies which preserve the rural character and visual amenity values of Rural land), need to be abandoned because they are contrary to the purpose of providing rural living opportunities in the Rural Lifestyle zone. The appellant candidly states: “ Ensure this policy( 3.3.24 and /or 3.3.32) is not applicable to rural living zones or the Wakatipu Basin Lifestyle Precinct as this would otherwise **undermine the purpose of those zones**”. This is a baffling statement which I can only take at face value to mean either of two things:

- the concept of rural living is an oxymoron, and therefore inherently and fundamentally flawed, or
- the objective of preserving the rural character of the land needs to be abandoned so that the level of development in the Rural Lifestyle zone can be escalated to the level desired by the appellant.

If the appellant's position is the former, then all the District Plan's objectives and policies that protect the natural character and visual amenity of the landscape dictate an immediate halt to all further development in the Rural Lifestyle zone. I take it this is not the position the

appellant adopts. The appellant's position appears to be the latter, namely to abandon the objective of preservation of rural character and amenity in the Rural Living zone and to amend the planning provisions of the Rural Lifestyle zone in order to allow for a higher level of residential density than proposed in the PDP, a level which the appellant openly acknowledges will be in conflict with the preservation of natural character and visual amenity; a level that will result in a loss in the quality of the rural, open space, and natural values of the zone. In short, according to Appendix A, the appellant candidly and clearly admits his wish to:

- degrade the landscape for the sake of his own development thereof;
- amend the strategic direction chapter of the PDP by deleting policies in this chapter that limit the scale of development in the Rural Lifestyle zone beyond the capacity for the landscape to absorb it. (For example, the appellant seeks to delete policies such as 3.3.24 and 3.3.32 which constrain land-use changes and development once they reach a level beyond which they degrade the character and visual amenity of the landscape quality);
- amend the planning provisions of the entire Rural Living zone to accommodate the higher level of development which they seek for their own property.

If the appellant wishes their land in the Rural Lifestyle zone to be re-zoned to accommodate the level of development they aspire to, that is one thing. The Court will need assess the merits or otherwise of each appellant's case, and I can only hope that in doing so, the Court recognizes that when a district plan review becomes a lolly scramble, developer's interests will be over-represented, whereas the public interest, which per definition is diluted, will always be under-represented. However, it is a different matter altogether when the appellant wants the PDP to abandon the strategic policy directions and the rules that protect the rural character of the entire Rural Lifestyle zone. That means they wish to undermine the integrity of the entire Rural Living zones just for the sake of accommodating their personal development aspirations.

The general public has given Council a clear mandate to uphold the natural and amenity values of the rural living zones: the guiding document for the DP review of the Rural Living zones, the Section 32 report for Rural Living Zones prepared by Council, states that after extensive public consultation three main issues needed to be addressed in the review: of these, the number one issue was insufficient protection of the natural environment of the Rural living ones, and number three was insufficient protection of its amenity values. I urge the Court to categorically resist any appeals which seek to alter the fundamental principles that have underpinned QLDC planning policy for rural living, to trade-off the level of landscape and amenity protection in the rural living zone in favour of the development aspirations of a tiny minority of stakeholders, and to disregard the acknowledged public demand for greater, not lesser, protection of the rural living environment.

I agree to participate in mediation or other alternative dispute resolution of the proceedings.

Marc Scaife

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