

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2018-CHC-00134

IN THE MATTER of the Resource Management Act 1991
("the Act")

AND

IN THE MATTER of an appeal under Schedule 1, Clause
14(1) of the Act

BETWEEN **NGAI TAHU TOURISM LIMITED**

Appellant

AND

**QUEENSTOWN LAKES DISTRICT
COUNCIL**

Respondent

**NOTICE OF ARTHURS POINT OUTSTANDING NATURAL
LANDSCAPE SOCIETY INCORPORATED'S WISH TO BE PARTY
TO THIS PROCEEDING**

Dated: 22nd November 2018

Filed by:
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To: The Registrar
Environment Court
Christchurch

- [1] Arthurs Point Outstanding Natural Landscape Society Incorporated (“Society”), wishes to be a party to *Ngai Tahu Tourism Limited* ENV-2018-CHC-00134 (“the appeal”).
- [2] The land which is subject of the appeal is defined as legal description SEC 1 SO 23662 SEC 4 SO 23901, PT SEC 3 SO 23901 BLK XIX SHOTOVER SD - MORNING STAR BEACH RECREATION RESERVE, SEC 133 BLK XIX SHOTOVER SD, LOTS 1-2 DP 25724, and the adjoining road reserve/marginal strip (“Morningstar Reserve”).
- [3] The Society did not make a submission on the subject matter of the proceedings but has an interest in the proceedings that is greater than the interest that the general public has, namely that the Society is made up of members who:
- (a) Own residential properties in close proximity to Morningstar Reserve;
 - (b) Will be affected significantly by the cumulative effects of amendments to the ONL and ONFs and rezoning in Arthurs Point in the event that the ONL/ONF and zoning amendments at Morningstar Reserve, 111 and 163 Atley Road and 182D Atley Road are all granted and/or confirmed; and
 - (c) The Society will be affected by the Proposed District Plan (“PDP”) provisions, which are the subject of the appeal.
- [4] The Society is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (“RMA”).
- [5] The Society is interested in all of the appeal.
- [6] Without derogating from the generality of the above, the Society is

interested in the following particular issues:

- (a) Any amendment to the ONL mapping boundary and/or urban growth boundary;
- (b) Any effects on the Shotover River as an ONF;
- (c) Any inappropriate subdivision, use and development of areas of outstanding natural features and landscapes.

[7] The Society does not support any of the relief sought and wishes to submit and be heard on these matters because such relief:

- (a) Will result in the ONL classification being removed from Morningstar Reserve;
- (b) Is contrary to the protection of areas of ONL and ONF from inappropriate subdivision, use and development, which is a matter of national importance under s 6 of the RMA; and
- (c) May have cumulative adverse effects on the outstanding natural landscape and features of Arthurs Point.

[8] The relief sought by the Society is that:

- (a) Morningstar Reserve retains the rural zoning that applied prior to the PDP; and
- (b) The ONL line is maintained.

[9] The Society agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Date: 22 November 2018



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Michael E Parker/Erin L Keeble
Solicitors authorised to sign on behalf of
Arthurs Point Outstanding Natural Landscape Society Incorporated

Address for service of person wishing to be a party:

c/o Parker Cowan Lawyers

Level 3

Remarkables House

26 Hawthorne Drive

Frankton

Queenstown

Telephone: 03 442 6337

Contact person: Michael E Parker/Erin L Keeble

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Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after -

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see* form 38).

Advice

If you have any questions about this notice, contact the Environment Court in Christchurch.

Contact details of Environment Court for lodging documents

The Christchurch address of the Environment Court is:

Justice & Emergency Services Precinct
20 Lichfield Street
Christchurch

Its postal address is:

WX11113
Christchurch

Telephone: (03) 365 0905

Email: EnvironmentCourt@justice.govt.nz