

BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH

ENV-2018-CHC-137

I MUA I TE KŌTI TAIAO
I ŌTAUTAHI ROHE

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

AND

IN THE MATTER of an appeal under clause 14 of the First
Schedule of the Act in relation to the
proposed Queenstown Lakes District Plan

BETWEEN **CONEBURN PRESERVE HOLDINGS LTD &
OTHER (JACKS POINT ENTITIES)**

Appellant

AND

QUEENSTOWN LAKES DISTRICT COUNCIL

Respondent

**NOTICE OF WISH OF RCL HANLEY DOWNS TO BE PARTY TO
PROCEEDINGS PURSUANT TO SECTION 274 OF THE ACT**



ATKINS | HOLM | MAJUREY

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TO: The Registrar
Environment Court
CHRISTCHURCH

1. RCL Hanley Downs (**RCL**) wishes to be a party to this proceeding, regarding an application under section 293 of the Act to enable consideration of changes to Chapter 41 of the proposed Queenstown Lakes District Plan (**Plan**).
2. RCL files this notice of intention to join the appeal as a section 274 party in accordance with the directions set out in the Environment Court decision of *Coneburn Preserve Holdings Ltd v Queenstown Lakes District Council*.¹
3. RCL is not a trade competitor for the purposes of sections 308C or 308CA of the Act and has an interest that is greater than the interest of the general public.
4. In particular, RCL has an interest in the Structure Plan and the proposed insertion of a Comprehensive Development Plan (**CDP**).

NATURE OF INTEREST

5. RCL made submissions and further submissions in relation to Chapter 41 of the Plan generally.
6. RCL has also been involved in consultation with the appellant in relation to this appeal specifically, including regarding provisions in Chapter 41 of the Plan and in the early stages of the CDP development and drafting.
7. RCL is the landowner of three properties within the Jacks Point Zone that are directly affected by the appeal (**RCL**

¹ *Coneburn Preserve Holdings Ltd v Queenstown Lakes District Council* [2021] NZEnvC 144, at [3] and at Annexure 2.

Properties).² The appeal includes the introduction of the CDP which specifies the zoning precinct that restricts these properties.

8. This interest is clearly one of some advantage or disadvantage that is not remote, qualifying RCL to join as a party under section 274(1) of the Act.³

EXTENT OF INTEREST

9. RCL is interested in the entire proceeding.
10. RCL is particularly interested in:
 - (a) Any changes to the Structure Plan of the Jacks Point Zone;
 - (b) The proposed CDP; and
 - (c) The Land Use Area demarcation of the RCL Properties within the Jacks Point Zone.

RELIEF SOUGHT

11. RCL opposes any change to the RCL Properties Land Use Area which would result in a change from the current Mixed-Use Precinct because it:
 - (a) Does not represent the efficient use and management of natural and physical resources;
 - (b) Does not enable social, economic and cultural well being;
 - (c) Does not promote the sustainable management of resources;

² Lots 3 and Lot 11 DP 498079 in the Jacks Point Village.

³ *Purification Technologies Ltd v Taupo District Council* [1995] NZRMA 197, at pg. 7.

- (d) Does not achieve the purpose of the Act; and
- (e) is otherwise contrary to other relevant planning documents.

MEDIATION

12. RCL agrees to participate in mediation or other alternative dispute resolution.

DATE: 15 November 2021



Mike Holm / Nicole Buxeda

Legal Counsel for RCL

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