

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2019-CHC-051

IN THE MATTER

Of an appeal on the Queenstown
Lakes District Council Proposed
District Plan (Stage 2) pursuant to
clause 14 of the First Schedule of
the Resource Management Act
1991

BETWEEN

**X-RAY TRUST LIMITED AND
AVENUE TRUST**

Appellant

AND

**QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

**SECTION 274 NOTICE ON BEHALF OF JAMES AND REBECCA HADLEY
TO JOIN AN APPEAL ON THE QUEENSTOWN LAKES DISTRICT
COUNCIL PROPOSED DISTRICT PLAN (STAGE 2)**

**GALLAWAY COOK ALLAN
LAWYERS
DUNEDIN**

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To: The Registrar

Environment Court

Christchurch Registry

1. James and Rebecca Hadley (the **Hadleys**), wish to be a party to the following proceeding:
 - (a) X-RAY TRUST LIMITED AND AVENUE TRUST v
QUEENSTOWN LAKES DISTRICT COUNCIL ENV-2019-CHC-051
2. The Appellants relief seeks the valley floor adjacent to Speargrass Flat Road be rezoned Wakatipu Basin Lifestyle Precinct and subject to a structure plan (**Arrowburn Zone**).
3. The Hadleys made a submission on the Queenstown Lakes District Council Proposed District Plan (Stage 2) (**PDP**) (OS2557). That submission sought to retain Wakatipu Basin Rural Amenity Zoning on land north of Speargrass Flat Road and Hogans Gully Road.
4. The Hadleys also have an interest in these proceedings that is greater than the public generally as they are the Trustees and occupiers of land located at:
 - (a) 509 Speargrass Flat Road, Lot 2 DP 447353 on RT 564544;
and
 - (b) 505 Speargrass Flat Road, Lot 1 DP 447353 on RT 564543.
5. The above properties are adjacent to and very near the proposed Arrowburn Zone. The relief (if granted) would have a significant effect on the Hadleys rural/visual amenity.
6. The Hadleys are not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
7. The Hadleys are interested in all of the proceedings and in particular the relief which seeks the Arrowburn Zone.

8. The Hadleys oppose the relief sought because:
- (a) The Arrowburn Zone will significantly weaken the edge of the Wakatipu Basin Lifestyle Precinct Zone so that its boundaries are indefensible. Furthermore, the Arrowburn Zone has no clear defensible boundaries and will be vulnerable to infill development. This will in turn encourage development creep further west and south over time.
 - (b) The Arrowburn Zone cannot be absorbed into the valley floor along Speargrass Flat Road. The area of remaining pastoral land is not enough to balance the development areas.
 - (c) The Arrowburn Zone is contained within the Speargrass Flat Landscape Character Unit (**LCU**) identified by the Wakatipu Basin Planning Land Use Study (**WBLUS**). The WBLUS identified that the Speargrass Flat LCU serves an important function as a buffer to residential development at the Lake Hayes Rural Residential LCU. The relief (if granted) will undercut the function of the Speargrass LCU and be contrary to the findings of the WBLUS.
 - (d) The Commissioners were correct to find that openness on the northern side of Speargrass Flat Road is an important value to be considered. This quality makes Speargrass Flat LCU very sensitive to landscape change. Development at a greater density than Wakatipu Basin Rural Amenity Zone would significantly reduce openness and open character in this area.
 - (e) The reduction of the buffer between Arrowtown and the Lake Hayes Rural Residential LCU will erode the existing residents "sense of place" which is experienced through the rural landscape character, views and openness of the surrounding landscape. This is a central tenet of the Speargrass Flat LCU.
 - (f) Water quality at Lake Hayes is very poor and will be put at greater risk by increased development between the Millbrook Zone and the Lake Hayes Rural Residential LCU or diminish options for remediation.

- (g) The Arrowburn Zone is not serviced by a reticulated wastewater treatment scheme. Evidence presented at the hearings was not conclusive that residential development at an increased level would reduce nitrogen loss compared with rural land usage.
 - (h) The Arrowburn Zone will not give effect to the National Policy Statement of Freshwater Management 2014 or the Partially Operative Regional Policy Statement 2019.
9. The Hadleys agree to participate in mediation or other alternative dispute resolution of the proceedings.



Phil Page / Simon Peirce

Counsel for the Interested Party

DATED this 31st day of May 2019.

Address for service

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