

In the Environment Court of New Zealand
Christchurch Registry

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2018-CHC-000093

Under the Resource Management Act 1991

In the matter of an appeal under Clause 14(1) of Schedule 1 of the RMA in relation to the proposed Queenstown Lakes District Plan

Between **Queenstown Airport Corporation Limited**
Appellant

And **Queenstown Lakes District Council**
Respondent

AMENDED Notice of Jacks Point wish to be party to proceedings pursuant to section 274 RMA

~~10 July~~ 27 August 2018

Section 274 party's solicitors:
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**anderson
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To: The Registrar
Environment Court
Christchurch

- 1 Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley Downs Land Holdings Ltd, Henley Downs Farms Holdings Ltd, Coneburn Preserve Holdings Limited, Willow Pond Farm Limited (**Jacks Point and others**) wish to be a party pursuant to section 274 of the RMA to the following proceedings:

Queenstown Airport Corporation v Queenstown Lakes District Council (ENV-2018-CHC-000093) being an appeal against decisions of Queenstown Lakes District Council on the proposed Queenstown Lakes District Plan (**PDP**).

- 2 Jacks Point and others is a person who made a submission about the subject matter of the proceedings and has an interest in the proceedings that is greater than the interest that the general public has, in particular:

- (a) Jacks Point is interested in the development of the mixed use Jacks Point zone, which includes urban and commercial development. The consequences of amendments sought by QAC to protect and provide for regionally significant infrastructure in the context of urban development are uncertain and could directly affect Jacks Point.
- (b) Amendments sought to Chapters 3, 6, and 21 of the PDP by QAC relate to higher order management and direction of rural land in particular. Jacks Point is surrounded by Rural Zoned land, the development of which has direct consequences for Jacks Point.
- (c) The above relief sought is broad in its application across the PDP and affects Jacks Point in particular.

- 3 Jacks Point and others is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

- 4 Jacks Point and others is interested in all of the proceedings.

- 5 Without derogating from the generality of the above, Jacks Point and others is interested in the following particular issues:

- 6 **Chapter 3: Strategic Direction**

- (a) The amendments and provisions sought in respect of regionally significant infrastructure.

- (i) DPL opposes the relief sought because the effect of the provisions is unclear and will elevate the importance of infrastructure over other activities and values which may be adversely affected by the operation or establishment of infrastructure in a manner that is inconsistent with other objectives and policies in Chapter 3.

7 Chapter 3: Strategic Direction

- (a) Amend Policy 3.2.2.1 to include a subparagraph that seeks to restrict development to areas that avoid reverse sensitivity effects unless those effects can be adequately managed
 - (i) Jacks Point and others opposes the relief sought because the term 'reverse sensitivity' is not defined and there is the potential for it to be applied broadly potentially encompassing a number of activities and locations. The term 'regionally significant infrastructure' is also undefined. It is unclear how the proposed amendments to restrict the development of land to areas that avoid reverse sensitivity effects would be applied or what activities they will apply to.

8 Chapter 4: Urban Development

- (a) The amendments and provisions sought in respect of regionally significant infrastructure;
 - (i) Jacks Point and others supports the relief in part because the role of infrastructure in enabling the community to provide for its socioeconomic wellbeing can be significant. However, it is unclear if the proposed amendments to these provisions will achieve Objective 3.2.1 The development of a prosperous, resilient and equitable economy in the District and other Strategic Objectives in Chapter 3.
 - (ii) The term 'reverse sensitivity' is not defined and there is the potential for it to be applied broadly potentially encompassing a number of activities and locations. The term 'regionally significant infrastructure' is also undefined. It is unclear how the proposed amendments to restrict the development of land to areas that avoid reverse sensitivity effects would be applied or what activities they will apply to.
 - (iii) The proposed changes elevate the importance of infrastructure over other activities and values which may be adversely affected by the operation or establishment of infrastructure in a manner that is inconsistent with other objectives and policies in Chapter 3.

Infrastructure related reverse sensitivity issues for urban areas should be addressed at the time of zoning.

9 **Chapter 6: Landscapes and Rural Character**

- (a) Amend policies 6.3.12, 6.3.17, 6.3.18, 6.3.19, 6.3.24, 6.3.25, 6.3.26 to:
 - (i) (a) better recognise the hierarchy and terminology set out in Part 2 of the Act; and
 - (ii) (b) give effect to the Proposed Regional Policy Statement and more specifically, the land use management framework established for Regionally Significant Infrastructure.
- (b) Jacks Point and others supports the relief in part because:
 - (i) Ensuring that the policies of section 6 recognise the hierarchy of Part 2 of the Act and give effect to the Proposed Regional Policy Statement is supported however is unclear to what extent changes are required to ensure the overall objectives of Part 2 are achieved.

10 **Chapter 21: Rural Zone**

- (a) Amend assessment matter 21.21.1 to:
 - (i) better recognise the hierarchy and terminology set out in Part 2 of the Act; and
 - (ii) (b) give effect to the Proposed Regional Policy Statement and more specifically, the land use management framework established for Regionally Significant Infrastructure.
 - (b) Jacks Point and others supports the relief in part because:
 - (i) Ensuring that the assessment matters in section 21.21.1 recognise the hierarchy of Part 2 of the Act and give effect to the Proposed Regional Policy Statement is supported, however is unclear to what extent changes are required to ensure the overall objectives of Part 2 are achieved.
- 11 Jacks Point and others agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this ~~10~~²⁷th day of ~~July~~ August 2018

Maree Baker-Galloway

Maree Baker-Galloway/Rosie Hill
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Address for service of person wishing to be a party

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Advice

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