

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

Notice of Treble Cone's wish to be party to proceedings pursuant to section 274 RMA

10 July 2018

Section 274 party's solicitors:

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**anderson
lloyd.**

To: The Registrar
Environment Court
Christchurch

- 1 Treble Cone Investments Limited 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 Treble Cone is a person who made a submission about the subject matter of the proceedings.
- 3 Treble Cone is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
- 4 Treble Cone is interested in all of the proceedings.
- 5 Without derogating from the generality of the above, Treble Cone 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) Treble Cone 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) Treble Cone 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) better recognise the hierarchy and terminology set out in Part 2 of the Act; and
 - (ii) give effect to the Proposed Regional Policy Statement and more specifically, the land use management framework established for Regionally Significant Infrastructure.
- (b) Treble Cone 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 hierarch and terminology set out in Part 2 of the Act; and
 - (ii) give effect to the Proposed Regional Policy Statement and more specifically, the land use management framework established for Regionally Significant Infrastructure.
- (b) Treble Cone 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 Treble Cone agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 10th day of July 2018

Maree Baker-Galloway

Maree Baker-Galloway/Rosie Hill
Counsel for the section 274 party

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.