

**BEFORE THE ENVIRONMENT COURT
IN CHRISTCHURCH**

ENV-2018-CHC-121

ENV-2021-CHC-059

**I TE KOTI TAIAO O AOTEAROA
ŌTAUTAHI ROHE**

IN THE MATTER of the Resource
Management Act 1991

AND

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

BETWEEN **TUSSOCK RISE
LIMITED**

Appellant

AND **QUEENSTOWN
LAKES DISTRICT
COUNCIL**

Respondent

**NOTICE OF PERSON'S WISH TO BE
PARTY TO PROCEEDINGS – STAGE 1 AND 3 APPEALS**

MACTODD LAWYERS
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To: The Registrar
Environment Court
Christchurch

1. Name of party giving notice:

UCL Limited (“UCT”), HWR Property Limited (“HWR”) and Allied Concrete Limited (“ACL”). The parties are related entities who have the same shareholding.

2. The relevant proceedings are:

Appeals against decisions of the Respondent in relation to submissions on Stage 1 and 3 of the Queenstown Lakes Proposed District Plan seeking to rezone Lot 2 DP 477622 (the Tussock Rise Land”) Lower Density Suburban Residential (“LDR”) Zone and/or Business Mixed Use Zone

3. The party giving notice is:

UCT, HWR and ACL are persons who have an interest in the proceedings greater than the interest that the general public has because;

- (a) UCT operates its business comprising a transport yard, bulk material supplier providing construction and landscaping materials, a fuel stop and associated offices and staff facilities from 78 Ballantyne Road, Wanaka. On site operations involve frequent and ongoing vehicle movements associated with the delivery, loading and unloading of goods and materials including the operation of forklifts and front-end loaders. The site is proximate to the Tussock Rise Land in respect of which a combination of residential and business mixed-use zoning is sought, and is one of a number of neighbouring parcels sought to be rezoned business mixed use.
- (b) ACL operates its business being a concrete batching plant, which includes outdoor areas for the storage of aggregates and sand, cement silos, mixing plant, concrete testing, the storage of industrial chemicals and materials, truck washdown areas and associated office and staff facilities from 2 Connell Road, Wanaka. The onsite operations include daily deliveries of materials to site and frequent and ongoing vehicle movements associated with the concrete batching process and the dispatch of concrete from site. The site is proximate to the Tussock Rise Land in respect of which a combination of residential and business mixed-use zoning is sought, and is one of a number of neighbouring parcels sought to be rezoned business mixed use.
- (c) HWR owns the land from which ACL operates.
- (d) HWR and UCT were identified as potentially affected landowners in the Council’s memorandum of 12 May 2020, and directed to be given notice of the Stage 1 appeal and the relief sought under the Stage 1 and 3 appeals.¹
- (e) Given the proximity of the land holdings and business operations to the Tussock Rise Land, UCT, HWR and ACL are parties who have an interest greater than the interest of the general public.

¹ Pursuant to Direction 12(b), of the Courts minute of 9 June 2021
JEM-433071-11-6-V3:JEM

- (f) UCT, HWR and ACL are not trade competitors for the purposes of s308B of the Act.
4. UCT, HWR and ACL are interested in all of the proceedings.
5. UCT, HWR and ACL are interested in the following particular issues that are raised in or arise from the notices of appeal:
- The suitability of the site for residential/business mixed use zoning;
 - Reverse sensitivity effects on established and ongoing industrial activities
 - Whether there is an over-supply of industrial land;
 - Consistency with the Strategic Directions Chapter of the PDP.
6. UCT, HWR and ACL oppose the relief sought and support retention of industrial zoning for the appeal site.
7. UCT, HWR and ACL agree to participate in mediation or other alternative dispute resolution of the proceedings.



Jayne Macdonald on behalf of UCL Limited, HWR Property Limited and Allied Concrete Limited

Date: 9 September 2021

Address for Service of Person wishing to be a party:

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