

**BEFORE THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY**

**ENV-2019-CHC-090**

**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**

**WATERFALL PARK  
DEVELOPMENTS LIMITED**

**Appellant**

**AND**

**QUEENSTOWN LAKES  
DISTRICT COUNCIL**

**Respondent**

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**SECTION 274 NOTICE ON BEHALF OF JAN ANDERSSON TO JOIN  
APPEAL ON THE QUEENSTOWN LAKES DISTRICT COUNCIL  
PROPOSED DISTRICT PLAN (STAGE 2)**

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**GALLAWAY COOK ALLAN  
LAWYERS  
DUNEDIN**

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To: The Registrar

Environment Court

Christchurch Registry

1. I, Jan Andersson, wish to be a party to the following proceeding:
  - (a) WATERFALL PARK DEVELOPMENTS LIMITED v  
QUEENSTOWN LAKES DISTRICT COUNCIL ENV-2019-CHC-090
2. The Appellants relief generally seeks an increased density of residential development at 343 Arrowtown-Lake Hayes Road legally described as Part Lot 3 DP 5737 (contained within Record of Title 666857) and Lot 1 DP 18109 (contained within Record of Title OT9A/1001 (together referred to as **Ayrburn Farm**).
3. I made a further submission on the Queenstown Lakes District Council Proposed District Plan (Stage 2)(**PDP**) (FS2167). I am also a person who has an interest in the proceedings that is greater than the public generally as I own land adjoining Ayrburn Farm. If the relief is granted I will directly overlook any increased development.
4. I am not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
5. I am interested in all of the proceedings, particularly the relief which enables an increased density of residential development at Ayrburn Farm than decided in the Council's Decision.
6. I oppose the relief sought because:
  - (a) It will significantly weaken the edge of the Wakatipu Basin Lifestyle Precinct Zone so that its boundaries are indefensible. This will in turn encourage development creep over time.
  - (b) Ayrburn Farm is contained with the Speargrass Flat Landscape Character Unit (LCU) identified by the Wakatipu Basin Planning

Land Use Study (WBLUS). The Speargrass Flat LCU serves an important function as a buffer to residential development at the Lake Hayes Rural Residential LCU.

- (c) Further to the above point, the Commissioners were correct to find that Ayrburn Farm in particular serves as an important breathing space between rural residential development in North Lake Hayes and the development adjoining Millbrook and Arrowtown.
- (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 in a 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. These landscape characteristics are critical to providing a sense of place in the Speargrass Flat LCU and will be lost if the relief is granted.
- (f) The relief will result in urban development within a rural residential setting. This juxtaposition between densities of development would be highly visible from the parts of the adjacent Queenstown Trail. This high level of visibility would be inappropriate and contrary to WBLUS.
- (g) The relief is contrary to the Strategic Objectives and Policies for urban development to be located in a rural area attached to rural-residential development.
- (h) The Commissioners were correct to place little weight on the evidence of Dr Goldsmith because the conclusions in the evidence could not be substantiated.

- (i) Water quality at Lake Hayes is very poor and will be put at greater risk by increased development or diminish options for remediation.
  - (j) Ayrburn Farm is not serviced by a reticulated wastewater treatment scheme. Evidence presented at the hearings did not establish that residential development at an increased level would reduce nitrogen loss compared with rural land usage.
  - (k) The relief will not give effect to the National Policy Statement of Freshwater Management 2014 or the Partially Operative Regional Policy Statement 2019.
7. I agree to participate in mediation or other alternative dispute resolution of the proceedings.



Phil Page / Simon Peirce

Counsel for the Interested Party

**DATED** this 5<sup>th</sup> day of June 2019.

Address for service

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