

**IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH**

**ENV-2018-CHCH-00056**

**UNDER THE** Resource Management Act 1991 (“**Act**”)  
**IN THE MATTER OF** An appeal under Schedule 1, Clause 14(1), of the Act  
**BETWEEN** **UPPER CLUTHA ENVIRONMENTAL SOCIETY  
INCORPORATED**  
**Appellant**  
**AND** **QUEENSTOWN LAKES DISTRICT COUNCIL**  
**Respondent**

**NOTICE OF DR JOHN COSSENS’ WISH  
TO BE PARTY TO THE PROCEEDINGS**

**TO:** The Registrar  
Environment Court  
**CHRISTCHURCH**  
By email: [Christine.McKee@justice.govt.nz](mailto:Christine.McKee@justice.govt.nz)

**AND TO:** The Appellant  
By email: [uces@xtra.co.nz](mailto:uces@xtra.co.nz)

**AND TO:** The Respondent  
By email: [dpappeals@qldc.govt.nz](mailto:dpappeals@qldc.govt.nz)

1. I, John James Cossens, wish to be a party to *Upper Clutha Environmental Society Inc. v Queenstown Lakes District Council* ENV-2018-CHCH-00056 (“**UCES Appeal**”).
2. I did not make a submission on the subject matter of the proceedings, but I am a person who has an interest in the proceedings that is greater than the interest that the general public has. This is because:
  - (a) The UCES Appeal relates to the planning provisions (policies, objectives and rules) under the Proposed District Plan (“**PDP**”) relating to subdivision in the rural zone.
  - (b) At the time the PDP was proposed, I did not think that I would be affected by the PDP provisions. However, in 2017 we applied to the QLDC for subdivision consent in the rural zone

(RM170182). The council s42a report specifically referred to and considered matters in the PDP, as did the commission decision. Aspects of the commission decision in relation to this consent application (RM170182) were appealed in October 2017 and remain under appeal. Council have indicated they now consider that some provisions in the PDP may be more relevant to our appeal as a result of decisions on submissions being notified on the 7<sup>th</sup> May 2018.

- (c) For these reasons I consider that I am a person who has an interest in the proceedings that is greater than the interest that the general public has.

### 3. Specific matters

- (a) I wish to submit and be heard in matters regarding 'reasons' as submitted by the UCES
- reasons' 1 and 2
  - reason 3 and 4
  - reason 5 - I do not agree with UCES support of the economic evidence of Mr Osborne which I consider flawed and without objective reason to support its findings.
  - reason 7 – I do not support the expert evidence of Ms Lucas
  - reason 10 – I support the UCES in considering there is not *"an adequate evidential foundation for identifying ONL and ONF lines"* and that the process behind identifying these landscape lines is flawed and based on expert opinion which cannot be relied upon.
  - reasons 12-15
- (b) I do not support any of the relief sought by the UCES (items 1 -14) and wish to submit and be heard on these matters.

### 4. Relief sought

- (a) That none of the relief sought by the UCES is upheld
- (b) That a new study determining landscape assessment and predicted effects in the Upper Clutha and Wakatipu Basin is commissioned based on best practice methodologies (i.e.

NZILA, UK IEMA and environment court decisions) and that this landscape study is used to determine policy, objectives and rules in the PDP. That this landscape study (as is best practice) must consider both landscape sensitivity and people (i.e. receiver sensitivities) in determining environmental impact assessment and landscape decision making relative to the PDP.

- (c) That the 'individual expert opinion' approach to considering submissions to the PDP is flawed, not without error and has the potential for significant 'apparent' bias and should be replaced by a truly independent specialist committee.

5. I am not a trade competitor for the purposes of section 108B of the Act.
6. I am interested in all of the proceedings.
7. I agree to participate in mediation or other alternative dispute resolution processes.

My address for service is 964 Lake Hawea – Albert Town Rd, RD2, Wanaka, 9382. [john@xlearning.nz](mailto:john@xlearning.nz)

**DATED** at Wanaka this 18<sup>th</sup> day of June 2018



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Dr John Cossens  
The Appellant