

**IN THE ENVIRONMENT COURT OF NEW ZEALAND  
AT CHRISTCHURCH**

**I MUA I TE KŌTI TAIAO O AOTEAROA  
I ŌTAUTAHI ROHE**

**ENV-2019-CHC-000085**

**Under** the Resource Management Act 1991 (**RMA**)

**And**

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

**Between** **Darby Planning Limited Partnership**

**Appellant**

**And** **Queenstown Lakes District Council**

**Respondent**

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**Notice of wish of Bachcare Limited to be a party to proceedings under  
section 274 of the RMA**

**Date: 5 June 2019**

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**To:** The Registrar  
Environment Court  
Christchurch

**And to:** The Appellant

**And to:** The Respondent

1 **Bachcare Limited (Bachcare)** wishes to be a party to the appeal by Darby Planning Limited Partnership (**Appellant**) against a decision of the Queenstown Lakes District Council (**Respondent**) on its Proposed District Plan (**PDP**).

**Nature of interest**

- 2 Bachcare made a submission (S2620) on Stage 2 of the PDP in relation to the Visitor Accommodation Variation.
- 3 Bachcare is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

**Extent of interest**

- 4 Bachcare is interested in part of the appeal.
- 5 Bachcare is interested in the following particular issues:
- 5.1 The amendments the Appellant seeks to the definition of 'Visitor Accommodation' to exclude Residential Visitor Accommodation (**RVA**) and homestays only where such activities comply with the standards within the relevant zones applying to those activities.

5.2 The amendments the Appellant seeks to the following chapters of the PDP regarding the activity status of RVA and homestay activities:

5.2.1 Chapter 22 Rural Residential and Rural Lifestyle Zones, in particular Table 22.5 Rules - Standards;

5.2.2 Chapter 24 Wakatipu Basin Rural Amenity Zone, in particular Table 24.4 Rules - Activities; and

5.2.3 Chapter 41 Jacks Point Zone, in particular Rule 41.4.2.1 the activity status of RVA and homestays in the Jacks Point zone - Village and Education Activity Areas.

#### **Position on the relief sought**

6 Bachcare opposes the relief sought by the Appellant in respect of the definition of 'Visitor Accommodation' because:

6.1 Bachcare agrees with the Respondent's decision to include separate definitions for Visitor Accommodation and RVA and Homestay in the PDP.

6.2 Visitor Accommodation, RVA and Homestay are all distinct activities.

6.3 Granting the relief sought could result in RVA and Homestays that do not comply with the applicable standards for those activities being treated as Visitor Accommodation, which could result in more onerous rules being applied to them.

6.4 Granting the relief sought would not best meet the applicable statutory tests.

7 Bachcare supports the relief sought by the Appellant in respect of Chapters 22, 24 and 41 of the PDP to the extent it is consistent with Bachcare's submission on the PDP because:

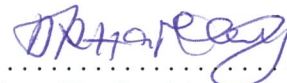
7.1 The provision of RVA assists in ensuring that there is a choice of visitor accommodation and contributes to the local economy.

7.2 The potential for adverse effects on character and amenity to be generated by visitor accommodation is linked to the nature, scale and intensity of the particular visitor accommodation activity.

### **Mediation**

8 Bachcare agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**Date:** 5 June 2019



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**Diana Hartley / Anne Buchanan**  
Counsel for Bachcare Limited

**Address for service of person wishing to become a party:**

This document is filed by Diana Hartley of DLA Piper New Zealand, solicitor for Bachcare Limited.

The address for service Bachcare Limited is at:

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Documents for service on Bachcare Limited may be:

- left at the above address for service, or
- posted to the solicitor at PO Box 160, Auckland 1140, or
- transmitted to the solicitor by fax on +64 9 303 2311.

Please direct enquiries to:

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