

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

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

ENV-2019-CHC-000095

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 **Henley Downs Farm Holdings Limited and Henley
Downs Land Holdings Limited**

Appellant

And **Queenstown Lakes District Council**

Respondent

**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 Henley Downs Farm Holdings Limited and Henley Downs Land Holdings Limited (**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 inclusion of RVA and homestay activities in Rule 41.4.2.1 in Chapter 41 of the PDP.

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 the retention of RVA and homestay activities beyond 90 nights per 12 month period as controlled activities within the Jacks Point Village in Rule 41.4.2.1 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.

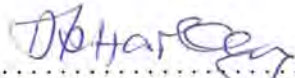
7.2 The potential for adverse effects on character and amenity to be generated by visitor accommodation is linked to the nature,

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.

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