

**IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH**

**I TE KŌTI TAIAO O AOTEAROA  
KI ŌTAUTAHI**

**ENV-2023-CHC-88**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** an appeal under clause 14(1) of  
Schedule 1 of the Act in relation to  
Stage 1 of the Queenstown Lakes  
Proposed District Plan

**BETWEEN** **GERTRUDE'S SADDLERY LIMITED**  
Appellant

**AND** **QUEENSTOWN LAKES DISTRICT  
COUNCIL**  
Respondent

---

**NOTICE OF ARTHURS POINT OUTSTANDING NATURAL LANDSCAPE  
SOCIETY INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS**

**Dated 15 September 2023**

---

---

**Counsel Acting: Alanya Limmer**  
Email: [alanya@bridgeside.co.nz](mailto:alanya@bridgeside.co.nz)  
Telephone: 64 21 812 811  
P O Box 3180  
Christchurch 8140

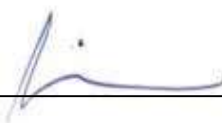
To: The Registrar  
Environment Court  
Christchurch

- 1 Arthurs Point Outstanding Natural Landscape Society Incorporated (**Society**) wishes to be a party to Gertrude's Saddlery Limited's (**GSL**) appeal proceedings, ENV-2023-CHC-88.
- 2 The Society made a further submission on the subject matter of this appeal.
- 3 The Society is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
- 4 The Society is interested in all of the appeal.
- 5 The Society is interested in the following particular issues:
  - 5.1 The landscape status of the land;
  - 5.2 The appropriate zoning of the land.
- 6 The Society opposes the relief sought because:
  - 6.1 The land subject of the appeal is ONL, as a matter of fact;
  - 6.2 Removal of ONL status will render the land vulnerable to development and other activities that can adversely affect the ONL values of the subject land and wider environment;
  - 6.3 Removal of ONL status is contrary to the relevant objectives and policies of the District Plan, the Regional Policy Statement and the Resource Management Act 1991 (**Act**);
  - 6.4 Urban Zoning of the land – of any kind – will facilitate development that would adversely affect the ONL values of the subject land as well as the amenity and wellbeing of the environment (including the people and communities that are part of the affected environment);
  - 6.5 Urban Zoning of the land – of any kind – will facilitate development that leaves surrounding ONL and Outstanding Natural Feature areas vulnerable to their values being adversely affected by activities on the subject land;

- 6.6 Urban Zoning of the land – of any kind – will therefore facilitate development that is both inappropriate and contrary to relevant objectives and policies of the District Plan, the Regional Policy Statement and provisions of the RMA;
- 6.7 Urban Zoning of the land is also contrary to the National Policy Statement for Highly Productive Land;
- 6.8 Urban Zoning of the land will also necessitate greater provision for access to and from the subject land. This cannot be achieved without imposing adverse and undue traffic and amenity effects on both the affected landscape and people in the surrounding area; and
- 6.9 Urban Zoning of this land is not required for the directives of the National Policy Statement for Urban Development to be met. As such, there are no competing interests in having this land taken out of Rural Zoning – it is both unnecessary and inappropriate;
- 6.10 The Appellant cannot bolster its case by reference to the adverse effects brought about by any unlawful activities undertaken on or near the subject land. In this regard, the Society is very concerned about recent activity that has and still is occurring – including significant levels of earthworks for tree felling and construction of unduly large and permanent tracks through. These activities:
- (a) Are occurring within both the mapped Outstanding Natural Landscape and Outstanding Natural Feature;
  - (b) Have been undertaken in earnest and shortly after the decision on this rezoning request was issued;
  - (c) Are purportedly being undertaken in reliance upon section 4 of the Resource Management Act 1991, thereby without any resource consent; and
  - (d) On the expert advice of the Society's landscape consultant (Stephen Brown), are having a significant and detrimental impact on the values of the Outstanding Natural Landscape and Outstanding Natural Feature in the Arthurs Point area.

7 APONLS agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**DATED** this 15<sup>th</sup> day of September 2023



---

**A C Limmer**  
Counsel for Arthurs Point Outstanding  
Natural Landscape Society Inc

**Address for Service:**

Alanya Limmer  
Barrister  
PO Box 3180  
Christchurch 8140

Telephone: 64 21 812 811  
Email: [alanya@bridgeside.co.nz](mailto:alanya@bridgeside.co.nz)