

**BrIn the Environment Court
at Christchurch**

ENV-2021-CHC-041

**I Mua I Te Kōti Taiao o Aotearoa
Ōtautahi Rohe**

In the Matter

of the Resource Management Act
1991 (**Act**)

And

In the Matter

of an appeal under Clause 14(1),
Schedule 1 of the Act

Between

J C BREEN FAMILY TRUST

Appellant

And

**QUEENSTOWN LAKES DISTRICT
COUNCIL**

Respondent

**Notice of wish to be party to proceedings
by **Bush Creek Investments Limited****

Dated: 16 June 2021

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To: The Registrar
Environment Court
Christchurch

1. Bush Creek Investments Limited (**Bush Creek**) wish to be party to the following appeal against parts of the decisions of the Respondent (**Decisions**) on the Proposed Queenstown Lakes District Plan (**Proposed Plan**):

(a) *J C Breen Family Trust v Queenstown Lakes District Council* (ENV-2021-CHC-041) (**Appeal**).

2. Bush Creek has an interest in the proceedings that is greater than the general public. The relief pursued in the Appeal could have direct consequences for Bush Creek in a financial and property sense given that it owns land within the General Industrial Zoning (**GIZ**). This sets Bush Creek apart as having an interest that is greater than the general public and qualifies them under s274(1)(d) of the Act.¹

3. Bush Creek is not a trade competitor for the purposes of section 308C or 308CA of the Act.

4. Bush Creek is interested in the part of the Appeal relating to relaxation of the proposed GIZ provisions.

5. While in no way limiting the generality of Bush Creek's interest in any part of the appeal that relates to the relaxation of the proposed GIZ provisions, Bush Creek is interested in the following particular issues:

(a) The amendment of the GIZ provisions to:

(i) Allow office, commercial, retail (including trade supply and food and beverage) and other related land uses that are not ancillary to Industrial and Service activities;

(ii) Provide for existing and consented office, retail, commercial and trade supply premises to be used into the future in a flexible manner;

¹ *Mt Christina Ltd v Queenstown Lakes District Council* [2018] NZEnvC 190 at [64].

- (iii) Allow for existing and consented premises to be occupied by new tenants and appropriately upgraded and modified; and
 - (iv) Clarify that activities with resource consent can continue, that variations and renewals can be made to consents and that associated building consents can be obtained.
6. Bush Creek supports the relief sought to the extent it relates to the relaxation of and provision of further leniency in the GIZ provisions.
7. Bush Creek agrees to participate in mediation or other alternative dispute resolution of the Appeal.

Dated this 16th day of June 2021



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