

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2019-CHC-038

IN THE MATTER

Of an appeal on the Queenstown
Lakes District Council Proposed
District Plan (Stage 2) pursuant to
clause 14 of the First Schedule of
the Resource Management Act
1991

BETWEEN

BOXER HILL TRUST

Appellant

AND

**QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

**SECTION 274 NOTICE ON BEHALF OF JAN ANDERSSON TO JOIN
APPEAL ON THE QUEENSTOWN LAKES DISTRICT COUNCIL
PROPOSED DISTRICT PLAN (STAGE 2)**

**GALLAWAY COOK ALLAN
LAWYERS
DUNEDIN**

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To: The Registrar

Environment Court

Christchurch Registry

1. I, Jan Andersson, wish to be a party to the following proceeding:
 - (a) BOXER HILL TRUST v QUEENSTOWN LAKES DISTRICT COUNCIL ENV-2019-CHC-038
2. The Appellants relief seeks the rezone land bounded by Hogans Gully Road and Arrowtown-Lake Hayes Road (**Boxer Hill Land**) as Wakatipu Basin Lifestyle Precinct (**WBLP**). The Boxer Hill Land is located within the Speargrass Flat Landscape Character Unit (**LCU**)
3. I made a further submission on the Queenstown Lakes District Council Proposed District Plan (Stage 2)(**PDP**) (FS2167) on the subject matter of these proceedings. In that submission I sought to preserve the rural character of the Speargrass Flat LCU from increased subdivision and development. While that submission was directed at the proposed Ayrburn Farm Zone the submission applies equally to these proceedings.
4. I am also a person who has an interest in the proceedings that is greater than the public generally as I own land which overlooks the Boxer Hill Land.
5. I am not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
6. I am interested in all of the proceedings, particularly the relief sought at paragraph 13(a) of the Appellants relief which seeks to rezone the Boxer Hill Land as WBLP.
7. I oppose the relief sought because:
 - (a) It will significantly weaken the edge of the Wakatipu Basin Lifestyle Precinct Zone so that its boundaries are indefensible.

This will in turn encourage development creep further east and north over time.

- (b) The Boxer Hill Land is contained within the Speargrass Flat LCU identified by the Wakatipu Basin Planning Land Use Study (**WBLUS**). The WBLUS identified that the Speargrass Flat LCU and the Hogan's Gully LCU serves an important function as a buffer to residential development at the Lake Hayes Rural Residential LCU. The relief (if granted) will undercut the function of the Speargrass Flat LCU and be contrary to the findings of the WBLUS.
- (c) The Commissioners were correct to find that openness on the northern side of the Speargrass Flat LCU is an important value to be considered. This quality makes Speargrass Flat LCU very sensitive to landscape change. Development at a greater density than Wakatipu Basin Rural Amenity Zone would significantly reduce openness and open character in this area.
- (d) The Boxer Hill Land is situated on a flat and highly visible part of the Speargrass Flat LCU which means it cannot absorb further development. Therefore, zoning the Boxer Hill Land as WBLP would be contrary to the decisions which classify the Speargrass Flat LCU as having low capability to absorb development.
- (e) Water quality at Lake Hayes is very poor and will be put at greater risk by increased development between the Millbrook Zone and the Lake Hayes Rural Residential LCU or diminish options for remediation.
- (f) The Boxer Hill Land is not serviced by a reticulated wastewater treatment scheme. Evidence presented at the hearings did not establish that residential development at an increased level would reduce nitrogen loss compared with rural land usage.
- (g) The Boxer Hill Land will not give effect to the National Policy Statement of Freshwater Management 2014 or the Partially Operative Regional Policy Statement 2019.

8. I agree to participate in mediation or other alternative dispute resolution of the proceedings.



Phil Page / Simon Peirce

Counsel for the Interested Party

DATED this 5th day of June 2019.

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