

**IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH**

ENV-2024-CHC-23

**I TE KOOTI TAIAO O AOTEAROA  
ŌTAUTAHI ROHE**

**UNDER** the Resource Management Act 1991

**IN THE MATTER** Of an appeal under clause 14(1) of the  
First Schedule of the Act

**AND IN THE MATTER** Of decisions by Otago Regional Council  
in respect of the Proposed Otago  
Regional Policy Statement 2021

**Between** **Real Group Limited**  
Appellant

**And** **Otago Regional Council**  
Respondent

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**NOTICE OF WATERFALL PARK DEVELOPMENTS LIMITED WISH TO BE  
PARTY TO PROCEEDINGS**

6<sup>th</sup> June 2024

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**To:** The Registrar  
Environment Court  
Christchurch

- [1] Waterfall Park Developments Limited (**WPDL**) wishes to be a party to an appeal by Real Group Limited (**Appellant**) against the decisions of the Otago Regional Council on the Proposed Regional Policy Statement 2021 (non-freshwater parts) (**PORPS**).
- [2] WPDL made a submission (number S0023) and further submission (number FS00023) on the PORPS. WPDL's submission and further submission sought relief in relation to the following Outstanding Natural Landscapes and Features (**ONF/L**) provisions:
- (a) UFD-P8
  - (b) Further Submission in respect of Infinity Investment Group Holdings (414).
- [3] WPDL is otherwise a person who has an interest in the proceedings that is greater than that interest the general public has because it has development interests in land which is identified as within ONF/L within the region.
- [4] Generally, the WPDL submission sought amendments to the PORPS to ensure that there is sufficient flexibility to consider the needs for, and merits of, residential, rural residential and rural lifestyle development, and non-primary production commercial activities that require a rural location, when determining the future use of rural land and ONF/Ls.
- [5] WPDL is not a trade competitor for the purposes of sections 308C or 308CA of the Resource Management Act 1991.
- [6] WPDL is interested in part of the proceedings, being those aspects of the appeal that are set out within **Appendix A** of this notice.
- [7] WPDL supports the relief sought by the Appellant insofar as it is aligned with the relief sought in WPDL's original and further submissions to the

PORPS. WPDL's position is further set out in relation to the above provisions, in **Appendix A** to this notice.

[8] WPDL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 7<sup>th</sup> June 2024



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**Signed** for Waterfall Park Developments Limited  
by its solicitor and duly authorised agent  
R E Hill

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**Appendix A – table of PORPS provisions of interest**

Provisions	Position	Reason
<ul style="list-style-type: none"> <li>• NFL-P1</li> <li>• NFL-P2 (1A)</li> <li>• NFL-P2 (1)</li> </ul>	<p>WPDL supports any relief seeking to delete reference to identification of landscapes in accordance with the 2021/2022 NZILA guidelines – which are likely to become superfluous.</p> <p>WPDL supports any relief seeking to remove avoidance direction in relation to ONF/Ls as it could be applied in an unnecessarily restrictive manner, and it is not needed given the remaining subparts of this policy.</p> <p>WPDL supports relief sought by the Appellant to improve the clarity of NFL-P2 (1) by maintaining the key values of natural features and landscapes.</p>	<p>WPDL considers that the NFL provisions require amendment as set out in the Appellant’s relief in order to:</p> <ul style="list-style-type: none"> <li>• Be consistent with Part 2 of the RMA;</li> <li>• Implement the Council’s functions under s31 of the RMA;</li> <li>• Ensure the most appropriate provisions in terms of s 32 of the RMA; and</li> <li>• Represent best resource management practice.</li> </ul>