

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV-2025-CHC-129

**I TE I TE KŌTI TAIAO
KI ŌTAUTAHI**

UNDER the Resource Management Act 1991

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

BETWEEN **VANCE AND CAROL BOYD, MICHAEL
ELFORD AND M W AND S J ELFORD
TRUSTEES LTD**

Appellants

AND **TE TAI O POUTINI PLAN COMMITTEE**

Respondent

NOTICE OF A PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Dated: 23 December 2025

Todd Walker

Solicitor acting
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TO: The Registrar
Environment Court
Christchurch

AND TO: The Appellants

AND TO: The Respondent

AND TO: The s 274 parties

[1] **Ian Douglas Ball and April Lynlee Mackenzie (the Balls)** wish to be a party to the following proceedings:

(a) ENV-2025-CHC-129 – An appeal by **Vance and Carol Boyd, Michael Elford, and MW and SJ Elford Trustees (Appellants)** against a decision of the Te Tai o Poutini Plan (**TTPP**) Committee (**Appeal**).

[2] The Balls are a party that has an interest in the proceedings that is greater than the interest of the general public.

[3] The Balls own Lot 3 DP 3983, situated at 1976A Haast-Jackson Bay Road in Hannah's Clearing (**Property**). The Property is immediately adjacent to the Appellants' properties and is subject to the same zoning and Coastal Hazard Erosion and Inundation (**CHEI**) Overlay. The relief sought in the Appeal will directly affect and have property-specific implications for the Ball's Property.¹ The relief sought in the Appeal also directly relates to, and addresses, the Ball's Property.

[4] The Balls are not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**Act**).

[5] The Balls are interested in all of the proceedings.

[6] The Balls are interested in the following particular issues:

(a) The reconsideration and amendment of the CHEI Overlay to reflect a more reliable data input; and

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

- (b) The amendment of the Hazard and Risk Chapter (**HAZ**) Natural Hazards (**NH**) provisions to enable appropriate consenting pathways for new / extensions to habitable buildings.

[7] The Balls support the relief sought by the Appellants because:

- (a) The TTPP Committee erred in applying the CHEI Overlay to Hannah's Clearing due to the uncertainty of the data set informing the mapping. There is evident inconsistency in the way the properties at the southern end of Hannah's Clearing have been mapped compared to those at the northern end.
- (b) There is scope to identify coastal hazards over a longer term planning horizon and to adopt an adaptive and proportionate management of risk, that better aligns with local conditions and community appetite for risk, in accordance with the National Policy Statement for Natural Hazards 2025.²
- (c) The identification of the CHEI Overlay (as it applies to Hannah's Clearing) and consenting pathways are disproportionate to the risk profile of Hannah's Clearing, particularly as there are less restrictive consenting pathways in the TTPP for specified land located within a Severe Natural Hazard Overlay.³
- (d) Amendments to the HAZ NH provisions are required for a proportionate approach to hazard management from coastal erosion at Hannah's Clearing. In particular, amendments are required to establish a consenting pathway for new / extensions to habitable buildings that reflects the risk profile of Hannah's Clearing.

[8] The Balls agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 23 December 2025

² In force from 15 January 2026.
³ See: NH-R6 and NH-R7.



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Signed for Ian Ball and April Mackenzie
by their solicitor and duly authorised agent
R E M Hill

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Advice

If you have any questions about this notice, contact the Environment Court in Christchurch.