

IN THE ENVIRONMENT COURT
AT CHRISTCHURCH

ENV-2018-CHCH-000116
ENV-2018-CHCH-000137
ENV-2018-CHCH-000150

I TE KOTI TAIAO O AOTEAROA
OTAUTAHU ROHE

UNDER THE

Resource Management Act 1991 (“Act”)

IN THE MATTER OF

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

BETWEEN

WEI HING FONG

Appellant ENV-2018-CHCH-000116

BETWEEN

**JACKS POINT RESIDENTIAL NO.2 LTD, JACKS
POINT VILLAGE HOLDINGS LTD, JACKS
POINT DEVELOPMENTS LIMITED, JACKS
POINT LAND LIMITED, JACKS POINT LAND
NO. 2 LIMITED, JACKS POINT MANAGEMENT
LIMITED, HENLEY DOWNS LAND HOLDINGS
LTD, HENLEY DOWNS FARMS HOLDINGS
LTD, CONEBURN PRESERVE HOLDINGS
LIMITED, WILLOW POND FARM LIMITED**

Appellant ENV-2018-CHCH-000137

BETWEEN

DARBY PLANNING LIMITED

Appellant ENV-2018-CHCH-000150

AND

QUEENSTOWN LAKES DISTRICT COUNCIL

Respondent

**NOTICE OF THE SCHRANTZES’
WISH TO BE PARTY TO PROCEEDINGS**

10 JULY 2018

Counsel instructed:

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TO: The Registrar
 Environment Court
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CHRISTCHURCH
 (Christine.McKee@justice.govt.nz)

AND TO: The Appellants
 By email: graeme@toddandwalker.com / ben@toddandwalker.com
 By email: maree.baker-galloway@al.nz | rosie.hill@al.nz

AND TO: The Respondent
 By email: dpappeals@qldc.govt.nz

Wish to be party

1. Alexander Schrantz and Jayne Schrantz ("**Schrantzes**") wish to be a party to the following appeals:
 - (a) *Wei Heng Fong* ENV-2018-CHCH-000116 ("**Fong Appeal**")
 - (b) *Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley Downs Land Holdings Ltd, Henley Downs Farms Holdings Ltd, Coneburn Preserve Holdings Limited, Willow Pond Farm Limited* ENV-2018-CHCH-000137 ("**Jacks Point Appeal**"); and
 - (c) *Darby Planning Limited* ENV-2018-CHCH-000150 ("**Darby Appeal**")

(together the "**Appeals**")

Interest

2. The Schrantzes made a submission on the subject matter to which the Appeals relate. They are also people who have an interest in the proceedings that is greater than the interest that the general public has. This is because:
 - (a) The Schrantzes own Lot 35 in The Preserve at Jacks Point ("**Lot 35**"). They have resource consent to build on their land but have not given effect to that consent because of the continuing uncertainty as to the zoning, and potential development, surrounding their site.
 - (b) The Appeals have the ability to significantly affect what may develop in the vicinity of and may otherwise affect Lot 35, including in terms of nature, character and amenity.
 - (c) The Schrantzes participated in the Plan Change 44 ("**PC44**") proceedings, which related to Jacks Point. PC44 was resolved before the Council's decisions on the PDP. The memorandum of consent resolving the Schrantzes' interest in PC44 recorded that resolution of PC44 "is without prejudice to the parties' ability to

advance their respective positions through the DPR Stage 1 process”.

- (d) The Schrantzes have also filed their own notice of appeal (ENV-2018-CHC-61) addressing many of the issues raised in the Appeals.

No prohibited trade competition purposes

3. The Schrantzes are not trade competitors for the purposes of Section 308D of the Act.

Extent of interest

4. The Schrantzes are interested in all of the Appeals, to the extent that they may impact on the amenity, character, outlook, or otherwise adversely affect Lot 35 and its wider surrounding environment.

Relief sought

5. In respect of the **Fong Appeal**, the Schrantzes support the relief sought in that Appeal, to the extent that it is consistent with the outcomes sought in the Schrantzes’ submissions and own notice of appeal ENV-2018-CHC-61 and/or is consistent with the sustainable management purpose of the Act (and the various other requirements or directions of the Act and subordinate planning instruments under it)
6. In respect of the **Jacks Point and Darby Appeals**, the Schrantzes oppose the relief sought in each of the Appeals, to the extent that it is inconsistent with the outcomes sought in the Schrantzes’ submissions and notice of appeal and/or is inconsistent with the sustainable management purpose of the Act (and the various other requirements or directions of the Act and subordinate planning instruments under it).

Mediation

7. The Schrantzes agree to participate in mediation or other alternative dispute resolution of the proceeding.

DATED 10 July 2018



J D K Gardner-Hopkins
Counsel for the Schrantzes

The Schrantzes’ address for service is c/- Elliot Goldman, Goldman Legal, Level 1 Searle Lane, Queenstown 9300.

Documents for service on the Schrantzes may be left at that address for service or may be:

- (a) posted to PO Box 1399, 9348, Queenstown 9300; or
- (b) emailed to elliott@goldmanlegal.co.nz, and copied to james@jghbarrister.com.