

BEFORE THE ENVIRONMENT COURT

ENV2018-CHC-097-002

IN THE MATTER of the Resource Management Act 1991 (“Act”)

AND

IN THE MATTER of an Appeal pursuant to Clause 14(1) to
Schedule 1 of the Act

BETWEEN **MOUNT CRYSTAL LIMITED**

Appellant

A N D **QUEENSTOWN LAKES DISTRICT
COUNCIL**

Respondent

**MEMORANDUM OF COUNSEL IN SUPPORT OF AMENDED NOTICE OF
APPEAL**

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MAY IT PLEASE THE COURT

1. The Appellant lodged a Notice of Appeal (ENV2018-CHC-097-002) with the Environment Court on 19 June 2018 (“Appeal”).
2. Queenstown Lakes District Council (“Respondent”) has raised a jurisdictional issue regarding part of the relief sought in the Appeal. The Respondent considers that relief point 2 of the Appeal, which seeks that High Density Residential standards be applied to the upper part of the subject site, lacks jurisdiction.
3. Having reviewed the Appeal and other background documentation, the Appellant agrees relief point 2 lacks jurisdiction.
4. To address the Respondent’s concerns, the Appellant has prepared an amended notice of appeal. Relief point 2 is amended by deleting the request for the High Density Residential bulk and locations standards to apply to the upper part of the subject site and replacing it with relief consistent with that sought by the Appellant in its submission - namely a 12m building height limit to apply to the upper part of site. Consequential amendments to paragraphs [7], [8][c] and [8][d] of the Appeal have been made for the sake of consistency with the amended relief point 2.
5. The Respondent has confirmed the amendments to relief point 2 will resolve its jurisdictional concerns.



Jayne Macdonald

Counsel for Mount Crystal Limited

23 October 2018