

**BEFORE THE ENVIRONMENT COURT
IN CHRISTCHURCH**

ENV-2018-CHC-000110

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

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of an appeal pursuant to
Clause 14 of the First
Schedule to the Act

BETWEEN **MARK RICHTER**

Appellant

AND

**QUEENSTOWN
LAKES DISTRICT
COUNCIL**

Respondent

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

MACALISTER TODD PHILLIPS

Barristers, Solicitors, Notaries

3rd Floor, 11-17 Church Street

Queenstown 9300

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Solicitor Acting: Jayne Elizabeth Macdonald

To: The Registrar
Environment Court
Christchurch

1. Name of party giving notice:

Saroj Kumar

2. The relevant proceedings are:

ENV-2018-CHC-000110

3. The party giving notice is:

A person who has an interest in the proceedings that is greater than the interest that the general public has. The interest claimed is greater than the public in general because I operate Upadhyay's Limited which is a new Indian restaurant taking up premises within the Lower Ardmore Entertainment Precinct.

I am not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

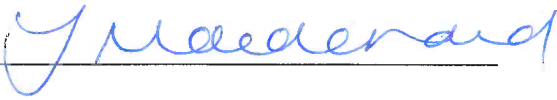
4. All of the proceedings are of interest to the party giving notice.

5. The relief sought is opposed.

The decision of the Respondent is supported in full. To this end, and in the context of the grounds of appeal:

- (a) The continued development of restaurants and bars is important to maintain the principal focus of the Wanaka Town Centre for commercial, administrative, cultural, entertainment and visitor activities in the Upper Clutha;
- (b) The Lower Ardmore Entertainment Precinct ("the Precinct") gives effect to the objectives and policies of the Plan, and the Town Centre zone as do the noise levels proposed within the same;
- (c) The relief sought by the Appellant elevates residential amenity beyond the level supported by the Plan's policy framework and will undermine the purpose of the zone.
- (d) The Appellant did not appear and give evidence in support of the submission and failed to disclose relevant matters associated with the original consenting process associated with the building and its use within which the residential unit is located. This is relevant to the relief now sought by the Appellant.

6. **The party giving notice agrees to participate in mediation or other alternative dispute resolution of the proceedings.**



Jayne Macdonald on behalf of Saroj Kumar

Date: 10 July 2018

Address for Service of Person wishing to be a party:

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