

**In the Environment Court
at Christchurch**

ENV-2021-CHC-043

**I Mua I Te Kōti Taiao o Aotearoa
Ōtautahi Rohe**

In the Matter of the Resource Management Act
1991 (**Act**)

And

In the Matter of the Queenstown Lakes Proposed
District Plan – Stage 3

And

In the Matter of an appeal under Clause 14(1),
Schedule 1 of the Act

Between

86 Ballantyne Road Partnership

Appellant

And

Queenstown Lakes District Council

Respondent

Notice of Succession to Appeal by Integrity Group Holdings NZ Limited

Dated: 1 September 2021

Lane Neave
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To: The Registrar
Environment Court
Christchurch

1. Integrity Group Holdings NZ Limited (**Integrity**) gives notice that it is the successor to the appeal interest held by 86 Ballantyne Road Partnership (**86 Ballantyne**) in the following proceeding filed against part of a decision of the Queenstown Lakes District Council (**Council**) on the Queenstown Lakes Proposed District Plan – Stage 3 (**PDP**):

(a) *86 Ballantyne Road Partnership v Queenstown Lakes District Council* (ENV-2021-CHC-043) (**Appeal**).

2. 86 Ballantyne is the owner of land located at 86 Ballantyne Road, Wanaka (**Property**). Integrity has an unconditional contract to purchase the Property. Settlement of the purchase will occur on 1 July 2022.

3. Section 2A of the Resource Management Act 1991 (**Act**) provides:

*In this Act, unless the context otherwise requires, any reference to a **person**, however described or referred to (including applicant and consent holder), includes the successor of that person.*

4. The High Court has held that section 2A includes successors to a person who earlier lodged a submission, and that successors to a submitter can pursue the submission and any rights of appeal.¹ The Environment Court has also held that the overall scheme of the RMA calls for an interpretation of succession that allows for the greatest public participation.²

5. In accordance with Section 2A of the Act Counsel advises that Integrity should from now be recorded as the successor of the Appeal for the purposes of the pursuing the full relief set out in that Appeal.

6. For avoidance of doubt Integrity takes the same position as 86 Ballantyne on the relief sought in the Appeal. Specifically, Integrity seeks amendment to the General Industrial Zone provisions to provide for leniency and flexibility in this zone.

¹ *Kaitiaki Tarawera Inc v Rotorua District Council* [1997] NZRMA 372, (1997) 10 PRNZ 698 at page 8. On the basis of section 2A, an application to be a substituted party is not required, rather the proper approach is to change the name of the party on the record: *Gold Mine Action Inc v Otago Regional Council* (2002) 8 ELRNZ 129.

² *Buckingham Asset Management Limited v Auckland City Council* Environment Court, Auckland, A027/09; *Te Mauri o Te Wai Inc v Northland Regional Council* [2011] NZEnvC 65.

7. Counsel advises that the address for service for Integrity shall remain as per the below:

(a) *Contact person: Joshua Leckie / Katharine Hockly*

(b) *Phone: 03 372 6307 / 03 901 0103*

(c) *Email: joshua.leckie@laneneave.co.nz /
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Dated this 1st day of September 2021



Katharine Hockly

Counsel for Integrity Group Holdings NZ Limited