

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2018-CHC-151

I MUA I TE KŌTI TAIAO O AOTEAROA

IN THE MATTER

of the Resource Management Act
1991

AND

IN THE MATTER

An appeal under Clause 14 of
Schedule 1 of the Act

BETWEEN

**NEW ZEALAND TUNGSTEN
MINING LIMITED**

Appellant

AND

**QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

APPLICATION FOR WAIVER OF TIME FOR FILING SECTION 274 NOTICE

Dated: 4 April 2019

Solicitors:

G M Todd/B B Gresson
PO Box 124
Queenstown 9348
P 03 441 2743
F 03 441 2976
graeme@toddandwalker.com;
ben@toddandwalker.com

TODD & WALKER law
LAWYERS | NOTARY PUBLIC

To: The Registrar
Environment Court
Christchurch

1. Cabo Limited ("**Cabo**") applies pursuant to section 281 of the Resource Management Act 1991 ("**Act**") for a waiver of the time period for filing a notice under Section 274 of the Act of a person's wish to be a party to proceedings ("**section 274 notice**").
2. The section 274 notice relates to an appeal by New Zealand Tungsten Mining Limited ("**Appellant**") against a decision of the Queenstown Lakes District Council on its Proposed District Plan ("**Plan**").
3. The application for waiver is made on the following grounds:
 - a. Cabo made a further submission on the Appellant's submission on the Plan that is subject to this appeal.
 - b. Cabo owns land affected by the relief sought by the Appellant and so is directly affected by the appeal and has a considerable interest in the proceedings.
 - c. Cabo does not seek to join the parts of the appeal that have already been subject to mediation, namely the relief sought relating to the Heritage Chapter of the Plan.
 - d. To allow Cabo to join as a party will not disrupt the course of the appeal given the mediation of the part of the appeal to which Cabo has sought to join, namely the Rural Chapter, is not scheduled to occur until August 2019.

Dated this 4th day of April 2019



Signed for Cabo Limited
by its solicitor and duly authorised agent
Graeme Morris Todd/Benjamin Brett Gresson

Address for Service of person wishing to be a party:

C/- Todd and Walker Law
PO Box 124
Queenstown 9348

Telephone: 03 441 2743

Facsimile: 03 441 2976

Email: graeme@toddandwalker.com; ben@toddandwalker.com

Contact persons: Graeme Todd; Ben Gresson