

In the Environment Court of New Zealand  
Christchurch Registry

I Te Koti Taiao o Aotearoa  
Ōtautahi Rohe

**ENV-2018-CHC-065**

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Under the Resource Management Act 1991

In the matter of an appeal under Clause 14 of Schedule 1 of the Act against decisions of the Queenstown Lakes District Council on Stage 1 of the Proposed District Plan

Between **Clark Fortune McDonald & Associates** (ENV-2018-CHC-065)  
Appellant

And **Queenstown Lakes District Council**  
Respondent

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**Memorandum of counsel to place appeal points on hold**

2 November 2018

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**Appellant's solicitors:**

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**anderson  
lloyd.**

**May it please the Court**

- 1 This Memorandum of Counsel is filed on behalf of Clark Fortune McDonald & Associates (**CFMA**) in respect of its appeal on Stage 1 of the Queenstown Lakes Proposed District Plan (ENV-2018-CHC-065).
- 2 In response to jurisdictional issues raised by Counsel for the Queenstown Lakes District Council, CFMA amends its notice of appeal to remove the relief sought to request rezoning the rural land adjacent to Hawea UGB on map 37 to a Township or similar residential urban zoning.
- 3 CFMA respectfully requests that the parts of its appeal addressing the identification of the Hawea UGB be placed hold, pending the release of Council's decisions on Stage 3 of the Proposed District Plan. Counsel for CFMA has conferred with Counsel for the Council, who agrees with this approach. The reason for this request is that Stage 3 of the Council's plan review involves all 'Township' zones. The Hawea UGB is currently located to enclose the existing (operative) Township Zone for Hawea, which is yet to be reviewed. Stage 3 could have further implications for the location and extent of this Township zone and it therefore makes sense to uphold the identification of the UGB at this stage.
- 4 An amended Notice of Appeal is lodged with this Memorandum, showing a track change version as "Appendix A" and a clean version as "Appendix B".

Dated this 2<sup>nd</sup> day of November 2018



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Maree Baker-Galloway/Rosie Hill  
Counsel for the Appellant

**Appendix A – Track change version of Amended Notice of Appeal**

**Appendix B – Clean version of Amended Notice of Appeal**