

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(1) of Schedule 1 of the RMA in relation to the proposed Queenstown Lakes District Plan
Between	<b>Clark Fortune McDonald and Associates</b>
	Appellant
And	<b>Queenstown Lakes District Council</b>
	Respondent

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**Memorandum of Counsel requesting relief allocated to Stage 1 Topics 3 and 16 be placed on hold until notification of Stage 3 of the Proposed District Plan and leave to file amended Notice of Appeal**

12 April 2019

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**Instructing solicitor:**  
Maree Baker-Galloway  
Anderson Lloyd  
Level 2, 13 Camp Street, Queenstown 9300  
PO Box 201, Queenstown 9348  
DX Box ZP95010 Queenstown  
p + 64 3 450 0700 | f + 64 3 450 0799  
maree.baker-galloway@al.nz

**Counsel instructed:**  
Warwick Goldsmith  
Barrister  
p + 64 212208824  
warwickgoldsmith@gmail.com

**May it please the Court**

- 1 This Memorandum of Counsel is filed on behalf of Clark Fortune McDonald and Associates (**CFMA**) in respect of their appeal on Stage 1 of the Queenstown Lakes District Plan (**PDP**).
- 2 Following from the Mediation Agreement from Topic 16 (Group 1 Rezoning Appeals) dated 20 March 2019, Counsel seeks leave to file an Amended Notice of Appeal for CFMA.
- 3 Amended Notices of Appeal are lodged with this Memorandum of Counsel as follows:
  - (a) CFMA Amended Notice of Appeal – track change version as **Appendix A**.
  - (b) CFMA Amended Notice of Appeal – clean version as **Appendix B**.
- 4 Counsel also seeks leave to request that the relief in the attached CFMA Amended Notices of Appeal dated 12 April 2019 at ENV-2018-CHC-065-001 and 002 in relation to the Urban Growth Boundary (**UGB**) at Hawea are placed on hold until after notification of Stage 3 of the PDP. All parties agreed to this in the signing of the Mediation Agreement.
- 5 The Township Zones are due to be notified as part of Stage 3 of the PDP in the third quarter of 2019. As part of the section 32 reporting process for the Township Zones, the Council officer will consider the most appropriate zoning and extent of the UGB at Hawea. The parties agreed to this in the signing of the Mediation Agreement.
- 6 CFMA agrees not to seek an Environment Court hearing on appeal points ENV-2018-CHC-065-001 and 002 until after notification of Stage 3 of the PDP.
- 7 Counsel has liaised with Counsel for Queenstown Lakes District Council who agree to the filing of this memorandum.

Dated this 12th day of April 2019



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Warwick Goldsmith  
Counsel for the Appellant

**Appendix A – Amended Notice of Appeal – Track Change Version**

**Appendix B - Amended Notice of Appeal – Clean Version**