

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I MUI I TE KŌTI TAIAO O AOTEAROA**

ENV-2018-CHC-104

IN THE MATTER

of the Resource Management Act 1991 (the Act)

AND

IN THE MATTER

of appeals under clause 14 of Schedule 1 of the Act against decisions of the Queenstown Lakes District Council on Stage 1 of the Proposed Queenstown Lakes District Plan

BETWEEN

SOHO SKI AREA LIMITED & BLACKMANS CREEK NO.1 LP (SOHO)

Appellants

AND

QUEENSTOWN LAKES DISTRICT COUNCIL

Respondent

MEMORANDUM OF COUNSEL WITHDRAWING APPEAL POINT

21 July 2020

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May it please the Court:

Soho rezoning

1. This Memorandum is filed on behalf of Soho Ski Area Limited and Blackmans Creek No.1 LP (Soho), appellants in respect of aspects of the Proposed Queenstown Lakes District Plan.
2. Appeal point ENV-2018-CHC-104-001, lodged by Soho seeks amendments to certain provisions relating to the Cardrona/ Soho Basin Ski Area Sub Zone (SASZ) and the (adjacent) Rural Zone, including an extension of the SASZ into Rural Zoned land at its south-east corner.
3. At mediation the parties to this appeal point discussed a means by which this appeal point could be resolved, with two possible alternatives:
 - (a) A reduced extension of the Ski Area Sub Zone, subject to the inclusion of a new non-complying rule that would apply to certain activities on the steeper slopes of the rezoned area; or
 - (b) A reduced extension of the Ski Area Sub Zone, with no new non-complying rule.
4. As a result of mediation, Soho and other parties reached agreement on other amendments to certain provisions within Chapter 21, with a draft consent order currently sitting with the Court.
5. The rezoning relief sought by Soho (to extend the SASZ) was unresolved at mediation. This memorandum formally withdraws that relief (reference ENV-2018-CHC-104-001). Counsel for the Council has advised that there is no issue as to costs.



I M Gordon
Counsel for Soho Ski Area Limited & Blackmans Creek No.1 LP