

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV-2019-CHC-029

IN THE MATTER of the Resource Management Act
1991 (the **Act**)

A N D

IN THE MATTER of an appeal pursuant to clause 14 of
the First Schedule to the Act

BETWEEN **Queenstown Country Club Limited &
Queenstown Commercial Limited**
Appellants

A N D **Queenstown Lakes District Council**
Respondent

MEMORANDUM OF COUNSEL REGARDING AMENDED NOTICE OF APPEAL

QUEENSTOWN LAKES PROPOSED DISTRICT PLAN – STAGE 2

Dated 18 December 2019


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TO: The Registrar
Environment Court
CHRISTCHURCH

1. On 7 May 2019, Queenstown Country Club Limited and Queenstown Commercial Limited (the **Appellants**) filed an appeal against a decision of Queenstown Lakes District Council (the **Respondent**) on the following plan:

(a) Queenstown Lakes Proposed District Plan – Stage 2 (the **PDP**).

2. The Appellants' appeal as originally drafted sought the following relief:

(a) Amend the planning maps to delete the UGB, or amend the UGB so that it includes the Southern Site;

(b) Amend the planning maps so that the ONL is located to the south of the Southern Site along the true left bank of the Kawarau River;

(c) That the Southern Site be zoned urban (e.g. Lower Density Suburban Residential, Medium Density Residential or a bespoke urban zoning) instead of Rural. In doing so:

(i) Amend the planning maps to rezone the Southern Site to enable residential activity; and

(ii) Amend the objectives, policies and rules applying to the Southern Site as required, to make subdivision, use and development associated with residential activity or a retirement village a permitted or controlled activity;

(d) Such other relief as the Court considers appropriate having regard to the Appellants' submission and the reasons for this appeal;

- (e) Any consequential amendments to the PDP which arise from the submissions, reasons for the appeal or the relief sought; and
 - (f) Costs.
3. The Appellants wish to file an amended notice of appeal in relation to the relief sought at (c) above, which is filed with this memorandum. The Appellants have made the following amendments to its appeal:
- (c) That the Southern Site be zoned urban (e.g. ~~Lower Density Suburban Residential~~ over the land referred to in submission #850, and Medium Density Residential (or Low Density Residential) over the land referred to in #842 or a bespoke urban zoning) instead of Rural. In doing so:
 - (i) Amend the planning maps to rezone the Southern Site to enable residential activity accordingly; and
 - (ii) Amend the objectives, policies and rules applying to the Southern Site as required, to make subdivision, use and development associated with residential activity ~~or a retirement village~~ a permitted or controlled activity;
4. It is submitted that no person will be prejudiced by the amendments to the appeal.
5. Accordingly, the Appellants request that the amended notice of appeal be accepted by the Court for filing.

Dated this 18th day of December 2019

Signature:

A handwritten signature in blue ink, appearing to read 'Vanessa Hamm', with a stylized, cursive script.

Vanessa Hamm
Counsel for Appellants