

**In the Environment Court
at Christchurch**

ENV-2019-CHC-065

**I Te Kōti Taiao o Aotearoa
Ki Ōtautahi**

Under	the Resource Management Act 1991 (Act)
In the Matter of	the Queenstown Lakes Proposed District Plan – Stage 2
In the Matter of	an appeal under Clause 14(1), Schedule 1 of the Act
Between	WAKATIPU EQUITIES LIMITED Appellant
And	QUEENSTOWN LAKES DISTRICT COUNCIL Respondent

**Notice of Withdrawal on behalf of the
Trustees of the Burgess Duke Trust
Limited**

Dated: 16 May 2024

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MAY IT PLEASE THE COURT

1. We act for the Trustees of the Burgess Duke Trust Limited (**Burgess**) in respect of its Section 274 interest in the following appeal on the Queenstown Lakes Proposed District Plan – Stage 2:

Wakatipu Equities Limited v Queenstown Lakes District Council (ENV-2019-CHC-065) (**Appeal**).

2. Burgess has not filed evidence in relation to the Appeal and gives notice that it wishes to withdraw its Section 274 interest in the Appeal.
3. Burgess joined the appeal out of caution as the original appeal scope had the potential to impact the Burgess property. However following receipt of evidence on behalf of Wakatipu Equities Limited it has become apparent that this is no longer the case. Burgess has also reached agreement with the Respondent in relation to their own appeal (ENV-2019-CHC-036) as described in the joint memorandum filed with the Court on 26 February 2024.
4. This notice of withdrawal formally confirms that Burgess is not pursuing its interests in the Appeal.
5. Accordingly, Burgess respectfully requests the Court record the withdraw of its Section 274 interest in relation to the Appeal.
6. Burgess does not anticipate that there will be issues as to costs in relation to the withdrawal.

Dated this 16th day of May 2024



Joshua Leckie / Mia Turner
Counsel for the Trustees of Burgess
Duke Trust Limited