

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2018-CHC-137

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 **Coneburn Preserve Holdings Ltd & Others ('Jacks Point')**
Appellant

And **Queenstown Lakes District Council**
Respondent

Memorandum of counsel for the Jacks Point Entities withdrawing two appeal points

11 June 2020

Applicant's solicitors:

Maree Baker-Galloway | 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 | maree.baker-galloway@al.nz

**anderson
lloyd.**

May it please the Court

- 1 After reviewing the Consent Order issued by the Court for Topic 22 – Jacks Point Zone, dated 21 May 2020, and the earlier Joint Memorandum filed by the parties, dated 3 March 2020, the parties have realised that two further appeal points should have also been listed in paragraph 18 and confirmed as withdrawn / not pursued.
- 2 In order to ensure that the outcome of Court-assisted mediation is accurately reflected, this memorandum requests that the Court record the withdrawal of the following appeal points:

Appeal point allocated reference	Appealed provision
ENV-2018-CHC-137-042	41.5.4.1
ENV-2018-CHC-137-045	Deletion of 41.5.4.10, or alternatively, the inclusion of a new rule requiring mitigation planting to be implemented prior to development or subdivision.

- 3 Counsel for Jacks Point and the Council have conferred in relation to this request and agree that it is the appropriate way to deal with these two appeal points

Dated this 11th day of June 2020



Maree Baker-Galloway
Counsel for the Appellant