

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of the Publicly Notified
Plan Change 50

AND

IN THE MATTER of Submissions by Adam
& Kirsten Zaki and Carl
& Lorraine Holt

MEMORANDUM OF COUNSEL ACCOMPANYING EVIDENCE OF DELAY

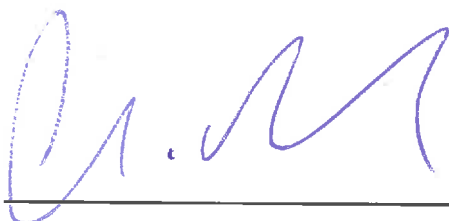
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MAY IT PLEASE THE COMMISSIONERS:

- 1 An affidavit attaching letters received from the Applicants for leave to file late submissions has been filed with this memorandum.
- 2 Both the Holts and the Zakis are travelling at the moment. The Zakis are en route to New Zealand (via Australia) and the Holts are in Vietnam. Therefore there has been a slight delay filing this evidence.
- 3 It is noted the Application was inaccurate at paragraph 19 where Counsel had understood the September letter was not received until the day the Holts were leaving New Zealand, which this counsel regrets and apologises for. This has now been clarified in the letter from the Holts, who advise they did not *review* the September letter until the day they were to leave the country, because it appeared on its face to be the same letter that had already been received in early August. However that review did not reveal the Holts error.
- 4 Subject to acceptance of the Application, Counsel understands the Commissioners are prepared to hear the joint case for both submitters of no more than 20 minutes on the substantive submissions on the Plan Change on 16 January 2015. Counsel is grateful for that opportunity and will be prepared to be heard on the content of the submissions, but will not be in a position to call any evidence (notably planning) in support.
- 5 Counsel will also be in a position to address the Commission upon the matters relating to the Application should a decision not be issued before the reconvened hearing.



C P Thomsen

Counsel for the Applicants / Submitters

19 December 2014