

BEFORE THE ENVIRONMENT COURT

ENV-2018-CHC-065,071, 115

IN THE MATTER of the Resource Management Act
1991

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 **FRED VAN BRANDENBURG
WILLOWRIDGE
DEVELOPMENTS LIMITED
CLARK FORTUNE MCDONALD
& ASSOCIATES**

Appellants

AND **QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

**JOINT MEMORANDUM ON BEHALF OF QUEENSTOWN LAKES DISTRICT
COUNCIL AND FII HOLDINGS LIMITED, UNIVERSAL DEVELOPMENTS LTD
AND HANSEN FAMILY PARTNERSHIP REGARDING APPLICATIONS FOR
WAIVER**

4 July 2019

 **Simpson Grierson**
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MAY IT PLEASE THE COURT

1. This joint memorandum is filed on behalf of the Queenstown Lakes District Council (**Council**) and Counsel for FII Holdings Ltd, Universal Developments Ltd and Hansen Family Partnership (together "**the Parties**") in relation to the applications sought by the Parties to join the following appeals:
 - 1.1 Clark Fortune McDonald (ENV-2018-CHC-65);
 - 1.2 Fred van Brandenburg (ENV-2018-CHC-71); and
 - 1.3 Willowridge Developments Limited (ENV-2018-CHC-115).
2. The Environment Court issued a minute on 2 July 2019 granting the applications for waiver subject to leave being reserved for a party to oppose that position by 4 July 2019.
3. The Council does not oppose the Parties from joining the above appeals to the extent that their interest relates to the appeal points regarding the default activity status for subdivisions (i.e. Rule 27.5). This issue was identified as being of particular interest to the Parties in paragraph 5 of their respective notices of their wish to be a party to proceedings (dated 26 June 2019).
4. However, in each of the notices filed on behalf of the Parties, paragraph 4 recorded their interest in "all of the proceedings". Counsel for the Parties would like to clarify that the interest of the Parties in the above three appeals is limited to the Rule 27.5 (the default activity status for subdivision) and any consequential relief relating to subdivisions.

5. At the time of writing Counsel for Council and Counsel for the Parties have had the opportunity to discuss and file this memorandum jointly.

DATED 4 July 2019



K Viskovic / H Baillie
Counsel for Queenstown Lakes
District Council
(Respondent)



M Baker-Galloway
Counsel for FII Holdings Ltd,
Universal Developments Ltd
and Hansen Family Partnership
(s274 Parties)