

**BEFORE THE QUEENSTOWN LAKES**  
**DISTRICT COUNCIL**

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

**AND** in the matter of the Queenstown Lakes  
Proposed District Plan

**AND** in the matter of Hearing Stream 13 –  
Queenstown Mapping

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**LEGAL SUBMISSIONS FOR GRANT HYLTON HENSMAN,  
SHARYN HENSMAN AND BRUCE HERBERT ROBERTSON,  
SCOPE RESOURCES LIMITED, TROJAN HOLDINGS LIMITED  
AND GRANT HYLTON HENSMAN AND NOEL THOMAS VAN  
WICHEN (#361)**

**Dated this 12<sup>th</sup> day of September 2017**

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**MACALISTER TODD PHILLIPS**

Barristers, Solicitors, Notaries

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Solicitor Acting: Jayne Macdonald

MAY IT PLEASE THE COMMISSIONERS

**Introduction and High Level Summary**

- [1] These legal submissions are presented on behalf of Grant Hylton Hensman, Sharyn Hensman and Bruce Herbert Robertson; Scope Resources Limited; Trojan Holdings Limited; and Grant Hylton Hensman and Noel Thomas van Wichen (Submitter) in respect of Hearing Stream 13, Queenstown mapping of the Queenstown Lakes District Council Proposed District Plan (“PDP”).
- [2] The Submitter owns various parcels of land which together comprise the proposed Coneburn Industrial Zone. A map identifying the extent of land ownership within the Zone is attached to these submissions<sup>1</sup>.
- [3] The focus of the evidence and submissions for this hearing stream is the proposed Coneburn Industrial Zone. The zone is proposed for land located in the vicinity of the Remarkables ski field access road along the eastern side of State Highway 6. The location and physical attributes of the land make it an ideal location for the type of industrial land use promoted in the evidence and in the zone provisions that have been proposed.
- [4] The landscape values of the locality have been carefully considered in the expert analysis and evidence for the Submitter. Avoiding inappropriate development and impacts on landscape values has been a key driver in the development of the zone and the identification of specific development areas. Development of the zone will take place in accordance with a structure plan. The range of industrial activities promoted benefit from the rural location of the site and its location proximate to the urban areas of Frankton, Jacks Point and Henley Downs.
- [5] The benefits of the zoning are significant from both an environmental and economic perspective.

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<sup>1</sup> Appendix A, Land Ownership Plan and Land Ownership Plan with zone overlay.

## Overview – the Coneburn Industrial Zone

- [6] The purpose<sup>2</sup> of the zone is to provide for industrial and service activities<sup>3</sup>, with standalone offices, residential and almost all retail uses avoided, to ensure the zone does not take on a mixed use character where reserve sensitivity issues and land value make industrial and some business uses unviable within the zone.
- [7] Comprised of 63.24 ha, of which 27.5 ha is identified to provide for service and industrial activities, and 35.99 ha as internal roading and retained open space.
- [8] The zone is a “stand-alone” industrial zone, with its own objective and policy framework, which is independent of the operative district plan’s industrial zones, and associated definitions.
- [9] A wide range of industrial and service activities are enabled, including activities within the definition of “Trade Supplier”<sup>4</sup> such as automotive and marine supplies, building supplies and catering equipment supplies etc.
- [10] Offices are permitted as an ancillary activity, and Food and Beverage Retailing limited to 50m<sup>2</sup> per premise is enabled.
- [11] Buildings (compliant with applicable standards) are a controlled activity.
- [12] Building coverage is staggered. 30% - 40% in Activity Area 1a is a restricted discretionary activity, and beyond that non-complying. 35% - 65% in Activity Area 2a is a restricted discretionary activity, and beyond that non-complying.

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<sup>2</sup> Zone purpose, 18-1 proposed Zone provisions

<sup>3</sup> Both of which are defined in the PDP

<sup>4</sup> Council’s reply version, definitions

- [13] The Zone contains a standard to measure building height<sup>5</sup>. Building height is “mapped” on a Height Limit Structure Plan, based on registered levels.
- [14] Access onto the State Highway is via two access locations, with a trigger rule for the second, once development within the zone exceeds 25%. Provision for a roundabout is no longer proposed.
- [15] Finally, additional provisions are added to the subdivisions chapter for Coneburn Industrial. To encourage larger lot sizes within Activity Area 1a, a minimum lot size of 3000m<sup>2</sup> is proposed.

### **Context and background**

- [16] Existing consents and zoning sought reflects the current use of part of the proposed zone for industrial purposes.
- Genesis for submission, private plan change in the planning for some time, approach to Queenstown Lakes District Council 2014 – Private Plan Change.
  - Inconsistency in approach – no rationale for Stage 1 matters included, no industrial zones in Stage 1, yet other land being zoned to meet current needs e.g. Rural Industrial Zones at Wanaka<sup>6</sup>.
  - No option but to put forward a comprehensive zoning submission, only opportunity to do so.
  - NPS on Urban Development Capacity 2016.

### **Specific Legal Issues**

- [17] The Submitter has no particular issue with the legal principles set out in the Council’s opening submissions for Stream 13. How these principles are applied in the context of the land covered in the submission is to all intents and purposes an evidence based exercise. To that end, I have, in the main, restricted my legal submissions to

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<sup>5</sup> A similar standard based on RL Levels is proposed for the Homestead Bay Zone. Rule 45.5.13.2(m)

<sup>6</sup> “Indicative” timeline for notification of Industrial Zone review is 1<sup>st</sup> quarter 2019.

addressing matters of law or interpretation where particular differences or issues have arisen.

### **Scope and staging**

[18] There has never been an issue that the submission is “on” Stage 1 of the Plan Review. This has been made clear from early memoranda filed by Counsel for the Council identifying those submissions which were within scope, and those not “on” Stage 1 of the review<sup>7</sup>.

[19] Rather, the issue is this<sup>8</sup>:

*“[2] If a piece of land is included in Stage 1 of the PDP because it has a Stage 1 PDP zoning applied to it, any person is entitled to lodge a submission seeking the rezoning of that land. There is nothing in law that says the zoning sought must be one of the zones notified at Stage 1...*

...

*[4] However, if a submitter seeks to zone the land using a set of provisions not one of the Stage 1 zones, that submitter would need to show how those provisions fit within the overall strategic directions chapters of the PDP. If the provisions do not give effect to and implement the strategic directions chapters, it would likely be difficult to conclude that they were the most appropriate way to achieve the objectives of those chapters.*

*[5] This approach means that it is open to submitters to seek to apply a zone that is not in those presently part of Stage 1 of the PDP, but they must provide a solution that fits within the PDP...”*

### ***The Strategic Chapters***

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<sup>7</sup> Opening representations/legal submissions dated 4 March 2016, Schedule 3, Category 4

<sup>8</sup> Chair’s minute of 29 May 2017

- [20] Ms Hutton addresses the “giving of effect to” the strategic chapters thoroughly in her evidence. She also identifies the relevant provisions of the Regional planning documents relevant to the provision of industrial land. It is disappointing that Mr Buxton does not acknowledge this analysis in his rebuttal. One assumes, because he takes no further issue with it, that this element of the rezoning request in terms of the Chair’s helpful directions is satisfied so far as council officers are concerned.
- [21] That leaves Mr Buxton concerned at the inefficiency of the Submitter rewriting the zone. That however is a matter for the Submitter, and as I discuss below – it has been done.
- [22] Nor are there any inconsistencies or gaps, with definitions “crossing over” from operative to PDP. There are efficiencies with adopting PDP definitions such as “Trade Supplier” which replace the long-winded list of activities found in the Industrial B activity table.
- [23] Whether and to what extent the Coneburn Industrial provisions are revisited in some future stage of the Plan Review as part of a review of District wide industrial provisions is a matter to which the Submitter is alive in pursuing its Coneburn Industrial Zoning in Stage 1 of the Plan Review. One thing is however certain, the Submitter had no choice but to be involved in Stage 1 of the review. It could not risk awaiting some future stage, for the Industrial and Business Zones to be reviewed. If the Council choose not to revisit the extent of industrial zoned land in a future stage of the review, as opposed to just the rules, the Submitter would have no jurisdiction to seek a rezoning of its land, and limited options other than to await the rural provisions of the plan becoming operative and to then seek a private plan change.

- [24] The Submitter has consistently sought an Industrial zoning based on the operative Industrial B zone provisions. As Ms Hutton has opined that Industrial B zone is a recent introduction to the Operative Plan, introduced to zone additional land in Wanaka for industrial purposes and addressing some of the defects in the District Wide provisions (originally notified in October 1995 not to date revisited). The format of the Industrial B zone, with its separate activity and standards tables, is not dissimilar to that adopted in the PDP.
- [25] Ms Hutton's evidence appended the Operative Plan provisions for the Business and Industrial zones and identified therein specific objectives, policies and rules for the Coneburn Site<sup>9</sup>.
- [26] Further work has been done on those provisions in the lead up to this hearing, so that they are now capable of standing alone, as a separate chapter of the PDP, independent of the ODP's industrial zone provisions. There have been no changes of any substance, but rather the zone has been refined so that it is now specific to the Coneburn Industrial Area, and includes its own set of objectives and policies, based on the Industrial B provisions, but tailored to address where appropriate the Coneburn zone and the specific activities contemplated within it.
- [27] The provisions have been reformatted to "fit" with the form of the PDP.

*Should we wait?*

- [28] Initial recommendations from Council staff were that rezoning the Submitter's land Industrial, ahead of Stage 2 of the review was premature. The Chair's minute that it is permissible to hear and determine the zone request now appears to have put that issue to bed, at least from a "process" perspective.

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<sup>9</sup> As did the submission originally lodged.

[29] In case there is any doubt that rezoning the Submitter's land should be put off to some future date,<sup>10</sup> I make the following submissions;

- There is a need to rezone the Submitter's land now to address the NPS requirements for the provision of Industrial land supply.
- The evidence of both Mr Copeland and Mr Osborne supports the zoning of the land for industrial purposes.

[30] There is no suggestion in the expert evidence that rezoning should be deferred until further information has been gathered, or the Council conduct further research. There is ample information currently available to support the case for rezoning this land for industrial purposes.

[31] This site is one of few (if not the only one at least on the current radar) suitable for industrial zoning.

[32] There have been many Environment Court (and former Planning Tribunal) cases testing the "we should wait" philosophy, particularly in the early days of first generation plans. A favourite quote of mine is from *Mullen v Auckland City Council*;<sup>11</sup>

*"It's not enough for the Council to allege there may be other effects not heard of... Developers do not normally have to allow for dragons or other monsters until there is evidence they exist".*

[33] There are no dragons or monsters here. You have all the information you require, and could reasonably expect or anticipate to make a decision on this rezoning request – there is nothing to be gained by waiting.

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<sup>10</sup> Refer to footnote 6 above

<sup>11</sup> A129/04 at paragraph [16]



**Scope for amendments – removal of roundabout***Reason for removal*

- [34] Between lodgement of the submission and preparation for this hearing the Submitter has undertaken further discussions with NZTA regarding the construction of a roundabout at or about the Woolshed Road location. Quite simply, without a funding partner(s), the construction costs for a roundabout are cost prohibitive. The Submitter therefore elected to consider other options for access onto the state highway, in tandem with potential development yield.
- [35] Removal of the round-about as an access option has required the submitter to undertake further traffic modelling for the site. To satisfy NZTA, and ensure the efficiency and service levels of the two intersections proposed, additional development controls have been proposed to encourage a greater proportion of yard based activity within the zone, and hence a reduction in traffic generation.
- [36] This “control” primarily takes the form of a greater restriction on site coverage over the developable areas of the zone. Within Activity Area 1a, site coverage is specified at 30%. Between 30% and 40% a restricted discretionary consent is required, and beyond 40%, consent for a non-complying activity is required. In Activity Area 2a, site coverage is set at 35%. Between 35% and 65% a restricted discretionary consent is required, and beyond that, consent for a non-complying activity is required.
- [37] Modelling work undertaken by Mr Bartlett is based on a comparison of traffic generating activities within the Glenda Drive Industrial area. Based on the zone controls and modelling, Mr Bartlett is satisfied that the two intersections will work efficiently and have acceptable levels of service.

*Is the removal within scope – permissible amendments*

[38] Relevant case law on scope has been referred to in legal submission by Counsel for the Council in the opening stages of the review hearings. I do not take issue with those submissions as an accurate statement of the law on scope.

[39] In this case the permissible extent of amendments lies somewhere between what was notified – a rural zoning with little in the way of development rights and a fully functioning industrial zone. The number and design of accesses onto the state highway is a direct result of the extent of development that can be undertaken in the zone. As discussed above, the Submitter has pared back development, by reducing the “as of right” site coverage by quite some margin from that notified<sup>12</sup>. In turn this has negated the need for a roundabout to service the traffic generation needs of the zone.

[40] It is not necessary that the removal of the round-about arise as a result of a submission (or further submission) seeking the same. It is open to the Submitter, within the broad extent of the ambit of its submission to propose a reduction in the extent of zoning and/or development controls sought. In this case the amended relief does not go beyond, but is within the extent of the package of development rights sought in the submission.

[41] Furthermore, it is Mr Bartlett’s evidence that there will be no greater adverse effects to the roading environment as a result of the removal of the round-about than proposed in the submission. In particular, effects on the functioning of other intersections, such as Woolshed Road will not be any greater than proposed in the submission.

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<sup>12</sup> By 10% in Activity Area 1a and 25% in Activity Area 2a

**Matters within ambit of further submissions – Jacks Point Residents and Owners Association (“JPROA”) and Jacks Point et al (“Jack’s Point”)**

[42] Clause 8, Schedule 1, provides that certain persons may make further submissions. Regarding further submitters JPROA and Jack’s Point, they do not claim to represent a relevant aspect of the public interest, but rather, a person who has an interest in the “submission” greater than the public in general.

[43] While the rezoning of the land from rural to industrial, and associated landscape and visual amenity effects, and potentially those of a reverse sensitivity nature,<sup>13</sup> arguably give rises to a “greater interest”, the issue of concern now raised, being the removal of a roundabout at or near Woolshed Road, is too removed to give rise to a greater interest than the public in general.

[44] The Submission proposed a staged State Highway access rule, culminating in the construction of a roundabout in the vicinity of Woolshed Road, as the Zone was developed to its fullest extent.

[45] Provision for a roundabout in the vicinity of Woolshed Road, under that fuller development scenario, may have met the threshold in Clause 8 (1) (b) – the round about being proximate to the JPROA and Jack’s Point land interests, (although, it is not a matter specifically referred to in the further submissions). If one were to adopt the overall “tenor” of the further submissions, a roundabout in this location, triggered by development at the upper percentage of the Coneburn zone’s development yield could be a matter within the ambit of the further submissions in opposition.

[46] It is therefore curious, and perhaps somewhat disingenuous that the further submitters now mount an argument that they are affected because the roundabout is not being provided. The Submitter has reduced its development capacity yield, thereby reducing the volume of traffic generated. There is no need for a roundabout. The further

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<sup>13</sup> All in respect of which the further submitters have called no evidence.

submitters oppose the zone, and the development that goes with it, yet cry foul at the removal of the roundabout.

- [47] Allowing the further submitters to extend the ambit of their further submissions to now object to the removal of the round-about is both beyond the jurisdiction of the relief sought in the further submission and an abuse of process.

#### **Non-service of further submissions**

- Further submissions 1277 and 1275
- Not served on Submitter<sup>14</sup>
- Clause 8A, First Schedule – service on other submitters
- Clause 8A(1)(b) – A person who makes a further submission must serve a copy of it on the person who made the submission to which the further submission relates
- Compulsory requirement “must”
- Must be consequences for non-compliance
- s41C(7)(c) – strike out submission on grounds an abuse of process

- [48] Section 41C – Directions and requests before or at hearings

*(7) Before or at the hearing, the authority may direct that the whole, or a part, of a submission be struck out if the authority considers...*

*(c) That it would otherwise be an abuse of the hearing process to allow the whole submission, or the part to be taken further.*

- [49] Section 41C, is contained in that part of the Act prescribing powers and duties in relation to hearings. There is nothing in sections 39 to 42 to suggest those powers do not apply to hearings in relation to a proposed district plan. To the contrary, s39(1)(a) lists hearings in

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<sup>14</sup> E-mail communications attached and labelled “B,C,D and E”.

relation to a proposed plan, as a type of hearing within the ambit of s39 (hearing to be public without unnecessary formality).

[50] The element of s41C (7)

- *Before or at a hearing*
  - The request is made at a hearing. This element is satisfied.
- *Would otherwise be an abuse of hearing process*
  - Further submission was never served. This is contrary to the Acts requirements. Must be consequences.
  - There has been no application for a waiver.
  - The language of the Act is mandatory “*must*”.
  - Service has not been effected.

[51] In my submission, there is no jurisdiction to accept and consider the further submissions, absent service (and proof of that) on the Submitter. Failure to serve:

- (1) Provides grounds for strike out under section 41C(7)(c) and/or
- (2) Means there is no jurisdiction for the panel to consider the matters raised in the further submissions.

[52] Service is an essential component of natural justice. A person or entity cannot respond to another person’s complaint or issue unless he or she has notice of it. The first the Submitter knew of the further submissions was the s42A report. While “*indirect*” notice of the further submission, this is no substitute for the service requirements under the Act.

[53] While prejudice would normally be a consideration so far as “*late*” notice of further submissions concerned, that is not relevant consideration in play here, as the further submitters have not sought a waiver of time for service.

## Issues that remain outstanding

### *Adequacy of Hazard Assessment and its timing*

[54] Mr Buxton is uncomfortable that the hazard assessment lacks sufficient detail to support a rezoning submission of this nature. This matter is addressed by Ms Hutton in her summary statement for this hearing. It also transpires that an earlier resource consent granted for a residential development over a large part of the quarry site was supported by a detailed hazard assessment completed by Tonkin and Taylor, in response to a submission from the Otago Regional Council to that earlier notified consent application. That assessment investigated landslide movement, rock falls and liquefaction, stability of cut and fill within the quarry site and flooding from Stoney Creek. The report concluded that hazard mitigation measures were feasible and did not prevent development<sup>15</sup>.

[55] The position for the Submitter is that there is sufficient information available to support the rezoning, and it is appropriate to leave further detailed site investigation until a later consenting stage.

### *Visibility Effects and methodology to address height*

[56] There remains a difference of opinion between Dr Read and Ms Snodgrass, particularly concerning visibility of development from the wider areas outside of the site. The evidence speaks for itself, and I submit the evidence of Ms Snodgrass is to be preferred. She undertakes an analysis that is more grounded and in-depth than that of Dr Read.

[57] Mr Buxton, and to a lesser extent Dr Read express some unease with the height limit control, and height structure plan. This is perhaps as a result of not understanding the methodology behind the workings of the rule.

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<sup>15</sup> Pages 18-19 Tonkin & Taylor report – conclusions and recommendations

[58] A methodology statement has been prepared by Mr Hansen, the surveyor responsible for undertaking the visibility modelling work, and inputting the information. This will be introduced by Ms Hutton in her summary statement. Mr Hutton and Ms Snodgrass are familiar with the methodology however if the panel has any technical questions, Mr Hansen can attend the hearing to answer questions or provide a response to them in writing.

*Transport – generation of vehicle trips and roading capacity/efficiency*

[59] Further information/assessment is provided in Mr Bartlett's summary statement, particularly regarding the use of two access points onto the State Highway (in preference to the round-about option), and modelling work that has been undertaken based on the comparable Glenda drive traffic generating activities.

[60] The further assessment undertaken by Mr Bartlett proves that the proposed access way intersections will work efficiently and will have an acceptable level of service.

*Industrial retailing*

[61] As mentioned earlier, Trade Supplier, as defined is listed as a permitted activity in the zone provisions. In his rebuttal, Mr Buxton remains concerned that the industrial zone provisions do not address pressure on industrial and yard based activities to move out from industrial zones.<sup>16</sup>

[62] Mr Buxton goes on to express concern regarding the ability of Trade Suppliers to locate within the zone. I simply observe that neither Mr Copeland nor Mr Osborne express any concerns with trade suppliers locating in the proposed zone, or that their location there is inappropriate.

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<sup>16</sup> At paragraph [4.9]

[63] Food and Beverage outlets will be addressed by Mr Copland and Ms Hutton.

*Indigenous plants and/or forest*

[64] There is one outstanding matter of disagreement between the ecologists. That matter relates to whether in one particular area (where there is existing grey shrub land) the requirement should be to restore ecologically appropriate indigenous *plant species* or the more specific *native forest*. Mr Davis prefers the former, as do I. My reasons are perhaps more pragmatic, in that *plant species* includes all manner of species, including forest. The option therefore remains open to choose any mix of ecologically appropriate indigenous plants. In the face of uncertainty/disagreement between the experts a more flexible approach is desirable.

*Witnesses*

[65] The Submitter will call the following expert evidence:

- (1) M Snodgrass – Landscape
- (2) Derrick Railton - 3 Waters
- (3) M Copeland – Economic
- (4) G Davis – Ecology
- (5) J Bartlett – Traffic
- (6) A Hutton – Planning

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Jayne Elizabeth Macdonald  
Counsel for Submitter







"A"

**Jayne Macdonald**

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**From:** Jayne Macdonald  
**Sent:** Monday, 10 July 2017 10:19 PM  
**To:** Rosie Hill  
**Cc:** Maree Baker-Galloway  
**Subject:** Re: Joint MoC FS1275 and 1277 - District Plan Review (Matter: 15001871)

Rosie, I have previously requested confirmation of service from both further submitters, as the FS were never served on the submitter. Are you able to assist with this?

Kind regards

Jayne Macdonald  
Partner & Notary Public  
Macalister Todd Phillips  
PO Box 653, Queenstown  
DDI: 03 4410127  
Cell: 027473074

On 10/07/2017, at 4:46 PM, Rosie Hill <[rosie.hill@al.nz](mailto:rosie.hill@al.nz)> wrote:

Jayne

We act for the JPROA and Jacks Point entities in respect of the District Plan Review. These entities have both further submitted on submission 361.

By way of service, please find attached a Joint Memorandum of Counsel for those further submitters as lodged with the Panel, as well as revised further submissions.

Please do not hesitate to contact us with any queries.

Regards  
Rosie

**Rosie Hill**  
Senior Solicitor

**Anderson Lloyd**  
d +64 3 450 0728 m +64 27 460 0243 f +64 3 450 0799  
Level 2, 13 Camp Street, Queenstown 9300, New Zealand  
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- 
- <FS 1275 - amended 10 July.pdf>
  - <FS 1277 - Amended 10 July.pdf>
  - <FINAL JPROA MoC - T13 - Request to amend further submission.pdf>

" B "

## Jayne Macdonald

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**From:** Jayne Macdonald  
**Sent:** Thursday, 24 August 2017 5:01 PM  
**To:** 'mike@jackspoint.com'  
**Cc:** 'Alyson Hutton'  
**Subject:** RE: Jacks Point Residents and Owners Association (Submitter 765) and Hensman and Others Submitter 361

Hello Mike, just following up on the request below please. I look forward to hearing from you.

Kind regards

**Jayne Macdonald**  
Partner & Notary Public  
**Macalister Todd Phillips**  
P O Box 653, Queenstown  
JD: 03 441 0127  
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[View my LinkedIn profile](#)  
[Like us on Facebook](#)



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**From:** Jayne Macdonald  
**Sent:** Thursday, 6 July 2017 1:18 PM  
**To:** 'mike@jackspoint.com' <mike@jackspoint.com>  
**Cc:** 'Alyson Hutton' <alyson@brownandcompany.co.nz>  
**Subject:** Jacks Point Residents and Owners Association (Submitter 765) and Hensman and Others Submitter 361

Good afternoon,

act for Hensman and Others.

I am the address for service for that submitter.

I do not have a record of being served with clients further submission. Do you have proof of service?

Kind regards

**Jayne Macdonald**  
Partner & Notary Public  
**Macalister Todd Phillips**  
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Web: [www.mactodd.co.nz](http://www.mactodd.co.nz)

[View my LinkedIn profile](#)

[Like us on Facebook](#)



"C"

## Jayne Macdonald

---

**From:** Jayne Macdonald  
**Sent:** Thursday, 24 August 2017 4:59 PM  
**To:** 'chris.ferguson@boffamiskell.co.nz'  
**Cc:** 'Alyson Hutton'  
**Subject:** RE: Jacks Point (Submitter 762 and 856) and Hensman and Others Submitter 361

Hi Chris, just following up this request please.

Kind regards

**Jayne Macdonald**  
Partner & Notary Public  
**Macalister Todd Phillips**  
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[Like us on Facebook](#)

**MACTODD**  
LAWYERS

**From:** Jayne Macdonald  
**Sent:** Thursday, 6 July 2017 1:17 PM  
**To:** 'chris.ferguson@boffamiskell.co.nz' <chris.ferguson@boffamiskell.co.nz>  
**Cc:** 'Alyson Hutton' <alyson@brownandcompany.co.nz>  
**Subject:** Jacks Point (Submitter 762 and 856) and Hensman and Others Submitter 361

Hi Chris, I act for Hensman and Others.

I am the address for service for that submitter.

I do not have a record of being served with your clients further submission. Do you have proof of service?

Kind regards

**Jayne Macdonald**  
Partner & Notary Public  
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