

In the Environment Court of New Zealand
Christchurch Registry

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2018-CHC-151

Under the Resource Management Act 1991

In the matter of an appeal under Clause 14 of Schedule 1 of the Act against decisions of the Queenstown Lakes District Council on Stage 1 of the Proposed District Plan

Between **New Zealand Tungsten Mining Limited** (ENV-2018-CHC-151)
Appellant

And **Queenstown Lakes District Council**
Respondent

Memorandum of counsel to place on hold and withdraw appeal points

2 November 2018

Appellant's solicitors:

Maree Baker-Galloway | Rosie Hill
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 | rosie.hill@al.nz

**anderson
lloyd.**

May it please the Court

- 1 This Memorandum of Counsel is filed on behalf of New Zealand Tungsten Mining Limited (**Tungsten Mining**) in respect of its appeal on Stage 1 of the Queenstown Lakes Proposed District Plan (ENV-2018-CHC-151).
- 2 In response to jurisdictional issues raised by Counsel for the Queenstown Lakes District Council, Tungsten Mining respectfully requests that appeal point 1 in relation to the definition of "Mining Activity" be placed on hold, pending the release of decisions on Stage 2 of the Proposed District Plan. Counsel for Tungsten Mining has conferred with Counsel for the Council, who agrees with this approach.
- 3 Tungsten Mining amends its notice of appeal to remove appeal points 21 and 22 in relation to "Table 7 Informal Airports" in Chapter 21.
- 4 An amended Notice of Appeal is lodged with this Memorandum, showing a track change version as "Appendix A" and a clean version as "Appendix B".

Dated this 2nd day of November 2018



Maree Baker-Galloway/Rosie Hill
Counsel for the Appellant

Appendix A – Track change version of Amended Notice of Appeal

Appendix B – Clean version of Amended Notice of Appeal