

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

ENV: 2018-CHC-064

IN THE MATTER

Of an appeal pursuant to clause 14
of the First Schedule of the
Resource Management Act 1991

BETWEEN

VARINA PTY LIMITED

Appellant

AND

**Queenstown Lakes District
Council**

Respondent

**MEMORANDUM OF COUNSEL FOR VARINA PTY LIMITED
WITHDRAWING APPEAL ON THE QUEENSTOWN LAKES DISTRICT
COUNCIL PROPOSED DISTRICT PLAN (STAGE 1)**

**GALLAWAY COOK ALLAN
LAWYERS
DUNEDIN**

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MAY IT PLEASE THE COURT

1. We act for Varina Pty Limited (**Varina**) in relation to the appeals on the Queenstown Lakes District Council Proposed District Plan (Stage 1) (**PDP**)
2. Varina lodged an appeal on the on 15 June 2016 seeking the relief which it set out in that notice of appeal. No other party has joined the appeal as a section 274 party.
3. As part of the PDP review process the appeal was put into Topic 16 (Upper Clutha Rezoning). Mediation was directed for this topic by way of a Notice of Mediation dated 7 May 2019. Varina's appeal was scheduled to be mediated on 6 June 2019.
4. Varina has been reconsidering its position in light of the Notice of Mediation given the amount of time that has passed since it first lodged its submission on the PDP until now.
5. Accordingly, Varina seeks to withdraw all relief sought in its notice of appeal on the PDP and seeks leave to not attend the mediation scheduled for 6 June 2019.



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Phil Page / Simon Peirce

Counsel for the Appellant

Dated this 23rd day of May 2019