

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 13 –
Queenstown Mapping
Annotations and
Rezoning Requests

**MEMORANDUM OF COUNSEL ON BEHALF OF THE QUEENSTOWN LAKES
DISTRICT COUNCIL REGARDING APPLICATION TO TRANSFER SUBMISSION
POINTS TO THE WAKATIPU BASIN HEARING**

11 May 2017

 **Simpson Grierson**
Barristers & Solicitors

S J Scott / H L Baillie
Telephone: +64-3-968 4018
Facsimile: +64-3-379 5023
Email: sarah.scott@simpsongrierson.com
PO Box 874
SOLICITORS
CHRISTCHURCH 8140

MAY IT PLEASE THE PANEL

1. This memorandum is filed on behalf of Queenstown Lakes District Council (**Council**) in response to memoranda of counsel filed on behalf of David Broomfield (#500), Scott Conway (#467) and Richard Hanson (#473) dated 5 and 9 May 2017, and the Panel's Minute dated 5 May 2017. The second memorandum dated 9 May 2017 is also filed on behalf of Woodlot Properties Limited (#501), although the direction sought in the memorandum does not relate to that submitter.
2. The Panel in its 5 May minute has set out its understanding that the list of submissions to be heard in the Queenstown Mapping stream and those considered to be within the Wakatipu Basin were mutually exclusive, and that the Shotover River has been taken as a natural boundary between the two areas in the stretch between Arthurs Point and the river's confluence with the Kawarau. This understanding is correct.
3. Submissions 338 and 501 were transferred by the Chair from the Wakatipu Basin to the Queenstown hearing stream. These rezonings are largely located outside of, but do have a small area within, the Wakatipu Basin Land Use Study (**WBLUS**) area, as they traverse the Outstanding Natural Landscape boundary (which is also the boundary of the Study area, *not* the Shotover River). As a consequence of the Chair's approval to transfer these two submissions, other rezoning submissions in the area, including those subject to this memorandum, were also transferred across to the Queenstown hearing as they are in the same geographical vicinity. This then created the geographic separation of the two hearing streams, at the Shotover River.
4. The 5 May memorandum asks for submission points #500.1, #467.1 and #473.2 to be transferred from the Queenstown Mapping hearing stream 13 to the Wakatipu Basin hearing stream. The land subject to the rezonings sought in these submissions, is located entirely within the WBLUS area, as they are fully located within the ONL.
5. The Council does not oppose the requested transfer. However, it wishes to record that the Council has not yet made any decisions on the scope and boundaries of any variation arising out of the WBLUS. Until those decisions are made and a variation (if Council decides to undertake one) has been

notified, Council cannot definitively state whether any such variation would apply to the submitters' land, and therefore whether a transfer would avoid duplication of effort. The outcome of the transfer is however that the land would be grouped in with all other Wakatipu Basin rezoning submissions, for the purposes of hearings, whether or not the land is subject to any variation.

6. The 5 May memorandum also points out that submissions 310.3 and 476.2 fall into the same category and could also be transferred to the Wakatipu Hearing Stream. It would appear sensible for these two submissions to also be heard in the Wakatipu Basin hearing, given they are subject to the WBLUS area, although it is noted that no request has been made by the submitter, who may have a preference.
7. For completeness, it is Council's understanding that submissions #338 and #501 will continue to be heard in the Queenstown hearing stream, following communication from counsel for those submitters, Warwick Goldsmith, and the Chair of the Panel in February 2017.

DATED this 11th day of May 2017



S J Scott
Counsel for Queenstown Lakes District
Council