

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

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Hearing Stream 13 – Queenstown
Mapping

**MEMORANDUM OF COUNSEL ON BEHALF OF LAKE WAKATIPU STATION
LIMITED**

Dated 29th May 2017

TODD & WALKER law
LAWYERS | NOTARY PUBLIC

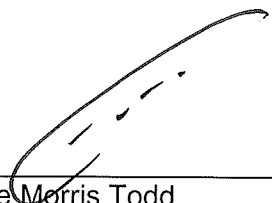
TODD & WALKER LAW
Level 3, 36 Shotover Street
PO Box 124
Queenstown 9348
P 03 441 2743
F 03 441 2976
graeme@toddandwalker.com;
ben@toddandwalker.com
Contact persons: Graeme
Todd; Ben Gresson

MAY IT PLEASE THE PANEL

1. I have been instructed to appear for Lake Wakatipu Station Limited (“the submitter”).
2. The submitter made a submission on the Queenstown Lakes Proposed District Plan (#478) seeking a re-zoning of part of their land as Rural Visitor Zone. The submitter did not seek changes to the provisions of the Rural Visitor Zone.
3. I refer to the Section 42A Report/Statement of Evidence of Robert Buxton on behalf of the Queenstown Lakes District Council (“Council”) dated 24 May 2017 (“the report”). The report recommends rejection of the submitter’s submission on the basis that insufficient information has been provided, and that the submitter seeks changes to provisions that are not part of Stage 1 of the Proposed District Plan, namely the Rural Visitor Zone.
4. I submit that given the submitter does not seek changes to the Zone provisions the submission can be heard as part of the Mapping hearings and assessed against the existing Rural Visitor Zone Provisions of the Operative District Plan.
5. This issue was commented on by Commissioner Robinson in Council’s Stream 12 opening:

It strikes the commissioner that if he were a submitter it is a catch 22 – that if they let this chance to rezone their land go by, Council may not chose to re-notify that land as subject to stage 2, at which point the submitter is then at a wall because their submission is out of scope.

6. On the basis of the above I respectfully request clarification from the Panel as to whether the submitter’s re-zoning request will be heard as part of Stream 13 as if it is the Commissioner’s ruling that it will not then there is no point in the submitter preparing evidence at this time.
7. I submit that as the submitter’s land was notified as part of Stage 1 of the Proposed District Plan and the submitter seeks re-zoning of its land, the submission should be heard as part of the Stage 1 Mapping hearings.



Graeme Morris Todd
Counsel for Lake Wakatipu Station Limited

Dated 29th May 2017