

**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 Stage 3 Proposed District
Plan

**MEMORANDUM OF COUNSEL IN RELATION TO THE UNIVERSAL DEVELOPMENTS
(HAWEA) LIMITED REZONING**

6 NOVEMBER 2020

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MAY IT PLEASE THE PANEL:

1. This memorandum of counsel is filed on behalf of Queenstown Lakes District Council (**Council**).
2. The purpose of this memorandum is to confirm that the supplementary information filed by Universal Developments (Hāwea) Limited (**UDL**) on 22 October 2020 is acknowledged to be a correct summary of engagement that has occurred following the filing of Council's reply, but does not reflect any definite decisions by Council or further certainty to infrastructure and/or funding solutions. Council's overall position on the UDL rezoning has not changed.
3. As outlined in evidence, Council's position was that it could not support the UDL rezoning unless there is sufficient certainty that the identified infrastructure constraints, and relating funding issues, can be resolved.¹ The evidence focused on water supply, wastewater and identified roading issues (the Capell Avenue/Domain Road and Cemetery/Domain Road intersections).
4. The information provided by UDL relates to the Capell Avenue/Domain Road intersection (Appendix 1 and 2), and water supply (Appendix 3). The email in Appendix 3 does not relate to wastewater.

Water supply / wastewater

5. While UDL has engaged in positive post-hearing discussions with Council in an attempt to find a solution to the identified water and wastewater constraints, the email provided refers to a preliminary water supply design and nothing more. This does not change the Council's reply position.

¹ C Barr, Second Statement of Rebuttal dated 19 June 2020 at [3.1, 3.42 - 3.44]; Reply Evidence dated 4 September 2020, at [1.6] and [6.8].

Roading issues

6. The proposed Capell Avenue/Domain Road intersection upgrade information does demonstrate some positive work towards resolving the infrastructure constraints at this intersection. However, the Council is only progressing early concept designs and no funding has been secured. An upgrade to Cemetery/Domain Road intersection still requires land from the adjacent landowner at 5 Cemetery Road and alongside 6 Cemetery Road.²

7. While Council acknowledges the positive steps taken by UDL to address the concerns raised by Council in evidence, the water supply, wastewater and roading infrastructure constraints have not been sufficiently resolved. Consequently, Council's position remains that the UDL rezoning request should not be accepted.

DATED this 6th day of November 2020



S J Scott / R P Mortiaux
Counsel for Queenstown Lakes District Council

2 M Smith, Second Statement of Rebuttal dated 19 June 2020 at [3.38].