

**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 the Rural Hearing
Stream 2

**MEMORANDUM OF COUNSEL ON BEHALF OF QUEENSTOWN LAKES
DISTRICT COUNCIL REGARDING WAKATIPU BASIN FLOOR STUDY**

8 July 2016

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MAY IT PLEASE THE PANEL:

1. This memorandum is filed on behalf of the Queenstown Lakes District Council (**Council**) in response to the Panel's minute of 1 July 2016 concerning Proposed District Plan (**PDP**) provisions affecting the Wakatipu Basin.

2. In its minute, the Panel raises the question of the Council conducting a study in relation to the character of the Wakatipu Basin floor, in order to;
 - 2.1 identify the environmental characteristics and amenity values of Wakatipu Basin floor that should be maintained and enhanced;

 - 2.2 identify those areas able to absorb development without adversely affecting the values of the Wakatipu Basin floor and without adversely affecting the values associated with the surrounding Outstanding Natural Landscapes and Outstanding Natural Features;

 - 2.3 identify those areas that are unable to absorb development; and

 - 2.4 determine whether, given the development already consented, there is any capacity for further development on the Wakatipu Basin floor and, if so, where it should be located and what form it should take.¹

3. The Panel in its minute suggests that the results of the study should provide the basis for evaluating the extent to which the PDP as notified, as it affects the Wakatipu Basin floor, is the most appropriate method to manage natural and physical resources², and that the study may inform:
 - 3.1 the location of the urban growth boundaries;³

 - 3.2 whether a finer tuned regulatory regime such as a structure plan may be required;⁴ or

 - 3.3 the basis of a variation, if an amended regime was required.⁵

1 At paragraph 12.
2 Ibid Paragraph 13.
3 Ibid Paragraph 14.
4 Ibid Paragraph 15.
5 Ibid Paragraph 13.

4. The Council confirms that it was already its intention to carry out a study of the sort referred to in the Panel's minute, in order to inform the Council's position and evidence on the rezoning submissions, which are likely to be heard after February 2017. The Council's intention is for such a study to include, but not necessarily be limited to, the matters proposed by the Panel. Additional matters are likely to be considered, including infrastructure capacity (including transport, wastewater and water supply), walking and trails, and environmental constraints such as natural hazards.
5. The geographic area which the Council intends to consider in the study is the Rural Residential, Rural Lifestyle and Rural Zoned land located within the area identified in the map attached at **Appendix A** of this memorandum. This area includes other zones such as the Meadow Park, Bendemeer (not notified in Stage 1), Low Density Residential, Millbrook, and Waterfall Park Special Zones (notified in Stage 1). Although it is not intended that the study will include an appraisal of these zones, their presence and impact on the environment of the Wakatipu Basin floor would be relevant to the assessment of other areas and the Basin floor as a whole.
6. The Council respectfully requests that the Panel confirm whether it considers that the map in **Appendix A** identifies all the areas that are relevant to the submission points referred to in paragraph 3 of its minute of 1 July 2016.
7. The Council wishes to record, in response to the Panel's reference to a possible variation in paragraph 13 of the minute, that any possible decision as to a variation is one to be made by full Council, and that it is possible that the outcome of the Council's study may not require a variation to be pursued at all. The matter of timing, if such a variation was considered necessary, is one subject to:
 - 7.1 endorsement by Councillors for notification under Schedule 1 of the RMA;
 - 7.2 potential delays to the Council meeting schedule and programme deadlines arising from a new Council/councillors being sworn in (elections are in October 2016);

- 7.3 the extent of any informal consultation undertaken and feedback received, noting the Council's consultation requirements under the Local Government Act 2002; and
- 7.4 Council officers also have a strong preference not to run notification processes during the Christmas / New Year RMA working day "shut down period".
8. The Council further acknowledges the Panel's suggested deferral of relevant submissions and requests that the Panel defer consideration of the submissions referred to in paragraph 3 of its minute of 1 July 2016 to the hearing on the rezoning submissions related to the Wakatipu Basin floor.

DATED this 8th day of July 2016



J G A Winchester / S J Scott
On behalf of Queenstown Lakes District Council

Areas identified with a black star within the outer red line indicates the general extent of the study area. The outer red lines indicate the location of the Wakatipu Basin floor and the Crown Terrace, located to the east.

Outer red lines

Crown Terrace

Frankton and Quail Rise urban areas are not included in the study area.

North
Not to scale

Arrow Junction area east of the Arrow River (the Arrow River is identified as an ONF/L in the PDP)

