

Before the Hearings Panel

For the Proposed Queenstown Lakes District Plan

Under the

Resource Management Act 1991

In the matter

of a variation to Chapter 21 Rural Zone of the Proposed Queenstown Lakes District Plan, to introduce Priority Area Landscape Schedules 21.22 and 21.23

**MEMORANDUM ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL
ADDRESSING COUNCILS 'CLEAN' REPLY VERSION LANDSCAPE SCHEDULES**

31 January 2024



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MAY IT PLEASE THE PANEL

- 1.** This memorandum is filed on behalf of Queenstown Lakes District Council (**Council**), to be read in conjunction with the 'clean' versions of Council's reply version of the landscape schedules, including preambles (the **Schedules**). These clean versions are attached as **Appendix 1**.
- 2.** A 'track changed' version of Council's reply version of the Schedules was attached, as Appendix 2, to the Council's reply legal submissions dated 15 December 2023. The track changed version shows the various amendments made to the Schedules in strike through and underline, and contains corresponding submission points in comment boxes.
- 3.** The 'clean' version has removed all track changes and comment boxes, and reflects the final version of Council's reply position. However, in compiling the 'clean' version, the Council's team has identified several minor amendments (including some renumbering) that need to be highlighted for the Panel.

Minor amendments made to 'clean' versions of the Schedules

- 4.** The minor amendments include:
 - 4.1** Amendment to 21.23 Upper Clutha Rural Character Landscape Priority Areas Preamble to correct references to ONF/L in paragraphs 3.5 and 4.6 to refer to RCL not ONF/L;
 - 4.2** Amendment to the plant and animal pest species section and/or heading to refer to 'species' or 'and animal', for consistency with other schedules. This amendment has been made in the following schedules:
 - (a) 21.23.1 PA RCL Cardrona River/Mount Barker Road;
 - (b) 21.22.22 PA ONL Dublin Bay; and
 - (c) 21.22.10 PA ONF Mount Barker;
 - 4.3** Amendment to correct carry-over 'no' capacity ratings, so that the reference is to 'extremely limited or no', as agreed in expert witness

conferencing and advanced in Council's reply. This amendment is required in the following schedules:

- (a) 21.22.9 PA ONF Kawarau River; and
- (b) 21.22.22 PA ONL Dublin Bay.

- 5. Council considers that these amendments are minor / technical in nature and assist with accuracy, consistency and clarity.

Re-inclusion of an omitted paragraph into 21.22.19 PA ONL Mount Alpha schedule

- 6. It has come to Council's attention that the version of 21.22.19 PA ONL Mount Alpha that was addressed during evidence exchange, conferencing and the hearing omitted a paragraph that was included in the notified version of that schedule (notified on 30 June 2022). Council acknowledges that this has only been identified late in this process.

- 7. Paragraph 33, as per the notified version of 21.22.19 PA ONL Mount Alpha available on Council's website,¹ reads:

33. Engaging and attractive close range views of the Wānaka lake margin, lake escarpments and roches moutonnées from the Millennium Trail (part of Te Araroa). While attention is often focused on the spectacular panorama of lake and its surrounding mountain ranges, the rocky bluffs, beaches and vegetation-covered escarpments alongside the trail contribute strongly to the character and appeal of the views. Little built development is visible from the trail and there is progression towards higher perceived naturalness and a greater sense of remoteness as people travel from Ruby Island Road to Damper Bay.

- 8. Because this paragraph was notified along with the balance of 21.22.19 PA ONL Mount Alpha, submitters had an opportunity to make submissions on it in the usual way. Council has reviewed the submissions made on this schedule, and notes that secondary relief was sought to delete this schedule in its entirety, but no submission points directly sought to delete or amend paragraph 33.

1 Accessible online at <<https://www.qldc.govt.nz/media/5sme40gq/appendix-a-proposed-schedule-21-22-onf-onl.pdf>>.

9. After looking into this issue, the Council has determined that paragraph 33 was, unfortunately, mistakenly omitted when the Council's experts received the draft schedules for review alongside the submissions. As a result, the Council's experts were unaware that this paragraph had been mistakenly omitted.
10. Having now considered this issue, the Council's expert team consider that the paragraph should form part of the schedule.
11. Because there is no direct relief seeking deletion of paragraph 33, Council has included the paragraph into the Mount Alpha schedule as new paragraph 36 in the 'clean' version attached to this memorandum.

Next steps

12. At this point, Council is not seeking or proposing any directions in relation to the 'clean' version of the schedules, the minor amendments made or paragraph 33.
13. As submitters were afforded an opportunity to submit on paragraph 33, and did not seek any direct relief on the notified wording, the Council considers that there is no clear prejudice to any submitters with the late re-inclusion. However, given the late identification of this issue, the Hearing Panel may decide that it is appropriate to allow a limited opportunity for submitters to consider paragraph 33 and advise the Panel of any concerns. If any concerns are raised, the Council will be able to respond in turn, so that the Panel can proceed to make recommendations.

Accept / Reject Recommendations Spreadsheet

14. In its minute dated 29 November 2023, the Panel directed Council to file the updated Accept / Reject recommendations spreadsheet by 12:00pm on 31 January 2024. Due to recent and current illness of multiple team members and the time-consuming nature of the task, the Council team is unable to complete the updates by the directed date. Council therefore respectfully seeks a two-week

extension to complete and file the updated Accept / Reject recommendations spreadsheet.

Directions sought

15. Council respectfully requests that the Panel confirm the following amended timetable directions:

15.1 The updated reply version of the Accept / Reject recommendations spreadsheet to be filed with the hearing administrator by 12:00pm on **Wednesday, 14 February 2024.**

DATED this 31st day of January 2024



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Counsel for Queenstown Lakes District Council

Appendix 1 – Reply versions of the PA Schedules, both the Preambles and for each PA (clean)