

Before the Queenstown Lakes District Council

In the matter of The Resource Management Act 1991

And The Queenstown Lakes District Proposed District Plan Topic 11
Ski Area Subzones mapping

LEGAL SUBMISSIONS (Part One) FOR

Mount Cardrona Station Limited (#407)

Dated 28 March 2017

Solicitors:

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**anderson
lloyd.**

MAY IT PLEASE THE PANEL

- 1 This document comprises Part One of Legal Submissions lodged on behalf of Mount Cardrona Station Limited (**Submitter**). These Part One Submissions are lodged for the limited purpose of:
 - (a) Amending Submission #407 by restricting the relief requested;
 - (b) Clarifying that the evidence which accompanies these Part One Submissions has been prepared on the basis of that amendment.
- 2 From the Submitter's point of view this hearing is limited to requested extensions to the Ski Area Sub Zones (SASZ) with particular reference to an extension to the Cardrona SASZ requested by the Submitter in its original Submission #407. The Submitter, in Part 2.8 Planning Maps, requested an extension to the Cardrona SASZ as shown on the plans which form part of Submission #407 (**MCS Extension**). The extension requested is approximately 400m long and approximately 200m wide and is intended to link the existing Cardrona SASZ with the Mount Cardrona Station Special Zone (**MCSSZ**).
- 3 Landscape and planning reports prepared to inform the Council's s.42a Report assume (correctly) that the requested MCS Extension would enable a wide range of SASZ activities to be carried out on the land subject to the MCS Extension. That has resulted in adverse comments from a landscape and planning point of view.
- 4 It has never been the Submitter's intention that the MCS Extension would enable any SASZ activity other than a passenger lift system. This intention is evident from paragraph 2.8.1(b) on page 11 of Submission #407 and paragraph (i) immediately following the Structure Plan A diagram on page 12 of Submission #407.
- 5 Accordingly the Submitter now formally amends its requested relief relating to Planning Maps 10 and 24a to the effect that the MCS Extension is limited to enabling a passenger lift system as a Ski Area Activity within the SASZ but does not enable any other SASZ activities.
- 6 In addition the Submitter does not seek to enable any base station building or other form of terminus within the MCS Extension, so that the passenger lift system enabled through the MCS Extension would only comprise towers/pylons plus wires and moving passenger elements such as gondola cabins and chairlifts. It is noted that the definition of Ski Area Activities currently promoted by the Council (in revised DPR provisions circulated with the Council's Right of Reply to Hearing Stream 2) excludes the likes of base buildings from the definition.

Assuming that definition is adopted, there is no need for any further restriction on the MCS Extension.

- 7 The planning evidence prepared by Jeffrey Brown details how the limited relief now requested by the Submitter should be implemented through the relevant District Plan provisions.
- 8 The landscape and planning evidence lodged with these Part One Submissions is based upon the amended Submission #407 as detailed above.

Dated 28 March 2017

A handwritten signature in black ink, appearing to read 'WP Goldsmith', with a small flourish at the end.

Warwick Peter Goldsmith

Counsel for Mount Cardrona Station Limited