

TO: The Hearing Administrator, Lynley Scott, DP.Hearings@qldc.govt.nz

**BEFORE AN INDEPENDENT HEARING PANEL
APPOINTED BY QUEENSTOWN LAKES DISTRICT COUNCIL**

UNDER THE Resource Management Act 1991 (“**Act**”)

IN THE MATTER OF a Variation to the proposed Queenstown Lakes District Plan (Te Pūtahi Ladies Mile) in accordance with Part 5 of Schedule 1 to the Resource Management Act 1991 (“**Variation**”)

BETWEEN **GLENPANEL DEVELOPMENT LIMITED (“GDL”)**
Submitter

AND **QUEENSTOWN LAKES DISTRICT COUNCIL (“QLDC”)**
Proponent of the Variation

**SEVENTH MEMORANDUM ON BEHALF OF GDL:
CLARIFICATION OF MATTERS OF FACT**

Before a Hearing Panel: David Allen (Chair), & Commissioners Gillian Crowcroft, Hoani Langsbury, Judith Makinson and Ian Munro

1. Mr Shields and Mr Smith were asked by the Panel to give their opinion on:
 - (a) Whether an additional access road into the TPLM variation area in this location [the consented Glenpanel access] might be appropriate given the discussions around SH6 potentially becoming a 60km/h speed zone.
 - (b) If its inclusion is appropriate, the form of intersection e.g. signals, priority t, limited turn etc.
2. Glenpanel is disappointed that Mr Shields chose to go beyond answering the questions posed, by relitigating material that had been canvassed earlier. Other than making the obvious point that the Fast Track material as to NZTA’s position should speak for itself, and, if not, it should be for NZTA to clarify, that unrequested material needs no additional response.
3. However, Mr Shields has also misrepresented a matter, and relies on it for his opinion. He presents, as a “fact”, that the consented Glenpanel access is “temporary” only. This is on the basis of a statement by NZTA that:

This access will be utilised as the temporary main entrance into the site until the east west collector road is constructed.

4. This illustrates the danger of taking a word or sentence out of context. Properly interpreted, in context, the meaning of the sentence is properly understood as being along the following lines:

This access will be utilised, initially, as the ~~temporary~~ main entrance into the site until the east west collector road is constructed.

5. In other words, it is the status of the access as the main access that is temporary (or initial), rather than the access itself being temporary only.
6. There is no other logical interpretation, given that the access has not been consented on a temporary basis, is not subject to any conditions requiring removal after a certain period etc.
7. In terms of the answers to the Panel's questions, given Mr Shields' approach, and particularly his error, the straightforward and direct answers given by Mr Smith on behalf of NZTA should be preferred by the Panel.
8. Finally, Glenpanel wishes to reiterate:
 - (a) Glenpanel is committed to constructing the access, and Mr Tylden has given evidence as to this. On this basis, as a consented activity, the access should be considered part of the existing environment.
 - (b) The access has been designed by GHD Limited as a full intersection to accommodate all anticipated future development on the Glenpanel land (but on the assumption that there will be limitations of the development of the Glenpanel land, eg 180 dwellings, until the east west collector road is developed). The access design has approval from NZTA to move through to the formal through to the Corridor Access Request (CAR) process, which requires, among other things, as part of the Approval To Work On State Highway (ATWOSH) process, confirmation of contractors, construction methodology etc. The access also has engineering approval acceptance from QLDC. So, subject to appointing contractors and resolving final construction methodology, etc, only, it could proceed. (In other words, the access approval is well beyond the consent stage, which is usually all that is needed to treat an activity as part of the existing environment.)

- (c) However, Glenpanel is open to shifting the access more to the west and converting it to a signalised intersection (or ensuring that it is future proofed to do so), if provided for in the SPP Variation as a better overall outcome for the Glenpanel site and the Ladies Mile.

21 December 2023
James Gardner-Hopkins
Project Manager