

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of the Queenstown Lakes
Proposed District Plan

AND

IN THE MATTER of Hearing Stream 6:
Residential

MINUTE REGARDING FRANKTON MEDIUM DENSITY RESIDENTIAL ZONE

1. The Hearing Panel has received a Memorandum from Mr Goldsmith, acting in consultation with other counsel, as counsel for the following submitters:
 - a) P & M Arnott (Submission #399 & FS1167);
 - b) Hansen Family Partnerships (Submission #751 & FS1270);
 - c) FII Holdings Limited (Submission #847 & FS1189);
 - d) Universal Developments Limited (Submission #177 & FS1029);
 - e) The Jandel Trust (Submission #717 & FS1195).
2. The Memorandum advises that each of these submitters own land within the Frankton Medium Density Residential Zone ('FMDRZ')¹, and each has made submissions and further submissions in relation to the FMDRZ and the provisions in Chapter 8 that relate specifically to the FMDRZ.
3. The Memorandum also advises that the submitters are working together to see if a mutually agreeable zoning regime and access arrangement can be arrived at that could be presented to the Hearing Panel jointly. Counsel advises that while some progress has been made, it was anticipated that the matters would be addressed in the hearings on mapping in 2017.
4. Several of the submissions have sought an alteration to the zoning as the primary relief, with amendments to the specific FMDRZ provisions in Chapter 8 as a secondary alternative. The s.42A report has considered the amendments sought

¹ This land, shown on Map 31, is to the north of SH 6 between the Quail Rise Special Zone (not in Stage 1 of PDP) and Designation 1 (Transpower). In large part it is zoned MDR, but a portion within the Queenstown Airport OCB is zoned Rural. In combination, the submissions relate to all of this land.

to the zone provisions in isolation from the question of the appropriate zoning, as raised by the submitters.

5. The submitters request that all the matters in their submissions related to the zoning of the relevant land and the location specific provisions of the FMDRZ be deferred until the Hearing Panel hears the submissions requesting alterations to the maps in 2017. It is further requested that all submissions in relation to the relevant land be heard together. Counsel notes in passing that an issue to also be dealt with at the mapping hearing is the location of the ONL boundary running through the FMDRZ land.
6. As a general principle, the Panel would prefer to hear site or area specific issues as an integrated whole. Where, as in this case, submitters have sought different zonings or amendments to the notified zoning, the Panel is best served by hearing the evidence in respect of all of those options at one hearing. At the very least, the same Panel members should hear all of those issues.
7. Although membership of the Hearing Panel to hear the mapping requests in the Frankton area has not yet been settled, it is already apparent that it will not have the same membership as the Panel for Hearing Stream 6. Thus, the appropriate course of action is to defer the FMDRZ specific submissions on Chapter 8 to be heard with the submissions related to the zoning and other mapping issues.
8. I agree also that it would be sensible to hear all of these submitters together. The surest way to ensure that happens is for the submitters to jointly seek an appropriate time slot when the notice for hearing goes out. Given the number of submitters and range of witnesses that may be called, it may be better handled by counsel filing a joint memorandum at the appropriate time rather than using the online booking system.
9. I note the comments of counsel regarding the ONL line. I also note that, as notified, Rule 6.4.1.2 stated that the landscape categories (ONL, ONF and RLC) only apply in the Rural Zone. I do not propose to make a ruling on this issue in this Minute, but will consult with my fellow commissioners and issue guidance prior to the mapping hearings with a view to avoiding the need for submitters to call landscape witnesses unnecessarily.

Directions:

10. The submissions lodged by the submitters listed in paragraph 1 in relation to the provisions in Chapter 8 set out below, are deferred to be heard with the submissions relating to the zoning, and other mapping issues, of the Frankton

Medium Density Residential zone and adjoining land in 2017. The relevant Chapter 8 provisions are as follows:

- a) Objective 8.2.9 and related Policies 8.2.9.1 – 8.2.9.7;
- b) Rule 8.4.11.3 Bullet Point 6;
- c) Rule 8.5.3; and
- d) Rule 8.5.5.2.

For the Hearing Panel

A handwritten signature in blue ink, appearing to read "Nugent", is written over a light blue circular stamp.

Denis Nugent (Chair)

21 September 2016