

**19 September 2016**

**Mr. Denis Nugent  
Hearing Panel Chair, QLDC Proposed District Plan**

**Re: Upcoming Hearing on Resort Zones – Jacks Point  
By e-mail: dphearings@qldc.govt.nz**

We are the owners of Lot 35 in The Preserve at Jacks Point. We made a submission in objection to aspects of Plan Change 44 (PC44) and the Proposed District Plan (PDP) Chapter 41 (Submission 195), principally in relation to the proposed development of Farm Preserve Activity Areas within the Open Space and Landscape Protection Areas.

The process for PC44 extended for nearly three years. The PDP was released before the conclusion of the PC44 process and Chapter 41 appears to have adopted all of the changes proposed by the proponents of PC44. It's unclear why the QLDC chose that course of action in light of the outstanding objections to PC44, particularly when the QLDC's own staff and experts had substantial concerns with PC44 as proposed. The Section 32 report does not address this.

The Commissioners for PC44 agreed overwhelmingly with our concerns and upheld our objections. The QLDC approved PC44 as amended to reflect the recommendations of the Commissioners. That decision has been appealed and a settlement has been proposed that would largely return the Hanley Downs zoning to its pre-existing state before PC44. However, the proposed settlement does not address the ongoing PDP review.

Whilst we recognize that PC44 was a private plan change initiated by interests associated with the developers of Jacks Point and the PDP review was initiated by the QLDC through its statutory rights under the RMA, we request that the hearing panel recognize the conclusions reached in the PC44 process and not re-open these issues for further debate in the PDP review. PC44 was thoroughly considered for three years and we believe that revisiting these issues defeats the purposes and principles embodied in section 5 of the Resource Management Act 1991 and the procedural directives set out in the same.

We dedicated substantial time and cost to following and participating in the PC44 process. The Commissioners' conclusions with respect to our points of objection were very robust. From our understanding of submissions made on Chapter 41, there is no new information to be considered on these matters. In other words, the proponents of these changes have had a full opportunity to be heard on these issues through the PC44 process and a clear decision has already been reached. We believe it would be unfair, unreasonable and a substantial waste of resources to allow these issues to be subject to further debate.

We request that the hearing panel address this matter well in advance of the upcoming hearing such that we may plan accordingly.

Thank you for your consideration and we look forward to your response in relation to these matters.

Sincerely,

Alexander Schrantz and Jayne Schrantz