

IN THE MATTER of the Resource  
Management Act 1991

AND

IN THE MATTER of the Proposed  
Queenstown Lakes District  
Plan

AND

IN THE MATTER of Leave Sought to File Late  
Further Submissions

**DECISION ON REQUEST BY MAN STREET PROPERTIES LIMITED TO FILE LATE  
FURTHER SUBMISSIONS DATED 28 SEPTEMBER 2016**

1. On 28 September 2018 counsel for Man Street Properties Ltd lodged two further submissions and an application for waiver of the time period for filing the further submissions. The further submissions lodged were in support of submissions lodged by Aaron Cowie (#20) and NZIA Southern and Architecture + Women Southern (#238). In each case the part of the original submission supported sought increased height limits in the Queenstown Town Centre Zone.
2. The following reasons were given in support of the waiver:
  - *The submitter has an interest in the QTCZ that is greater than the general public as they own land in the QTCZ.*
  - *Since Plan Change 50 has been confirmed the submitter has had to give greater consideration to issues of height given the height increases allowed within the Isle Street Blocks located across Man Street from their land.*

*In addition, the submitter considers no one would be prejudice [sic] by the acceptance of this late submission as the QLDC s42a [sic] report has not yet been made publicly available.*
3. I have been delegated the Council's powers under s.39B of the Act to make decisions on such procedural matters as waiving the time for lodgement of further submissions. Section 37 provides that the Council may waive time limits, subject to the requirements of s.37A. Section 37A requires that I take into account:
  - a) The interests of any person who, in my opinion, may be directly affected by the extension or waiver;

- b) The interests of the community in achieving adequate assessment of the effects of the proposed district plan;
  - c) The Council's duty under s.21 to avoid unreasonable delay.
4. The time for lodging further submissions ended on 18 December 2015. The submitter is seeking to lodge these further submissions some nine months late. Turning to the matters I need to consider under s.37A, I note the following:
- a) The only person that may be directly affected by the grant of the waiver is the submitter. While the original submission lodged by the submitter supported the height limits for its site notified in the Plan, waiving the time for lodgement and service would enable the submitter to support any greater height limit sought by submitter 20 or 238.
  - b) The District Plan preparation process is enhanced by direct involvement by submitters.
  - c) The hearing of submissions 20 and 238 is due to occur in the period from 28th November to 6<sup>th</sup> December 2016. The Council's s.42A report is due to be finalised and released to the public on 4<sup>th</sup> November 2016. I understand that internal work on this report needs to be completed by 12<sup>th</sup> October next.
5. While these further submissions have been filed exceptionally late, the hearing and submission decision-making process will be better served by waiving the time period for lodgement. Given the s.42A report preparation timeline, this request has only just been received within an acceptable timeframe.
6. Accordingly, pursuant to sections 37 and 37A, I waive the time for Man Street properties Limited to lodge the further submissions in support in part of submissions #20 and #238. The submitter is to serve copies on the original submitters in accordance with clause 8A of the First Schedule within 5 working days from today's date.



Denis Nugent

Hearing Panel Chair

28 September 2016