

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of the Queenstown Lakes
Proposed District Plan

AND

IN THE MATTER Hearing Stream 5: District-
Wide Provisions

MINUTE CONCERNING SUBMISSIONS 213 AND 220

1. Mr Manners-Wood has lodged two submissions on the District Plan: #213 and #220. Submission #213 relates to informal airports in the Rural Zone. Submission #220 seeks deletion of the definition of “informal airport” from Chapter 2. Mr Manners-Wood appeared at the hearings on the Rural Zone and presented submissions.
2. Mr Manners-Wood has queried why he has not received notice of the hearing for Hearing Stream 5, which includes consideration of Chapter 36: Noise. I have been asked to consider whether it is appropriate to hear Mr Manners-Wood in relation to the Noise chapter.
3. I have examined the two submissions lodged by Mr Manners-Wood. In both cases he has used the Council’s online submission tool to lodge his submission. This contains a section entitled “*Preferred hearing location:*” which then lists the relevant chapters from this part of the PDP. In each case, Mr Manners-Wood has ticked Chapter 21: Rural Zone and Chapter 36: Noise.
4. The next section of the form is entitled “*Consultation Document Submissions*”. For Submission #213 Mr Manners-Wood has entered “*Part Four - Rural Environment > 21Rural Zone > 21.5Rules - Standards > Table 6*” and checked the “oppose” button. The text of the submission set out below that relates to the activity status of informal airports within the Rural Zone.
5. For Submission #220, under the consultation submission heading, Mr Manners-Wood has entered “*Part One - Introduction > 2 Definitions*”. The text of the submission then gives reasons why “informal airport” should be removed from the definitions in Chapter 2. This submission also seeks changes to the objectives, policies and rules in the Rural Zone.

6. Unfortunately, the online form has used different language from that set out in Form 5 of the Resource Management (Forms, Fees and Procedure) Regulations 2003. Considering the online form in relation to Form 5, I conclude that the information under the heading "*Consultation Document Submissions*" is the information Form 5 asks for under the heading "*The specific provisions of the proposal that my submission relates to are:*". The section entitled "*Preferred hearing location:*" and the accompanying list of chapters has no equivalent in Form 5 and appears to bear no relationship to either the location the submitter may wish to be heard at (presumably Queenstown or Wanaka), or the provision to which the submission relates, which is explicitly stated in the next section.
7. Form 5 also requires a submitter to explain their submission and to set out the decision they wish the Council to make. Mr Manners-Wood has met those requirements in each submission under the headings "*I seek the following decision*" and "*My submission is*".
8. I am satisfied that Mr Manners-Wood's submissions relate only to Chapter 2: Definitions and Chapter 21: Rural Zone. We have already heard him in relation to the Rural Zone and he will also have the opportunity to be heard when we hear submissions on Chapter 2 early next year.
9. Given the inconsistencies between the Council's online form and Form 5, including a section which appears irrelevant, I can understand how Mr Manners-Wood may have thought he would be given the opportunity to speak in relation to Chapter 36. It is, however, the textual content of his submission which I consider to be the most relevant when determining what parts of the PDP the submission seeks to change.
10. Finally, I have considered the s.42A report prepared for Chapter 36 and note that no submission of Mr Manners-Wood has been referred to in that report.
11. I am satisfied that Mr Manners-Wood has no submission in relation to Chapter 36 and consequently, cannot expect to be heard in relation to that Chapter.

For the Hearing Panel



Denis Nugent (Chair)

26 August 2016