

**BEFORE THE QUEENSTOWN LAKES DISTRICT  
COUNCIL**

**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 13, Queenstown  
and Queenstown Rural

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**MEMORANDUM OF COUNSEL FOR DAVID BROOMFIELD (#500),  
SCOTT CONWAY (#467) AND RICHARD HANSON (#473)**

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## INTRODUCTION

1. This Memorandum requests confirmation that submission points numbered 500.1, 467.1 and 473.2 of the original submissions of David Broomfield, Scott Conway and Richard Hanson be deferred until the Wakatipu Basin Hearing Stream.

## BACKGROUND

2. Mr Broomfield, Mr Conway and Mr Hanson own parcels of land on Tucker Beach Road, Lower Shotover, which adjoin the Quail Rise East Zone to the east and south east (including Lot 1 DP 473899, Lot 3 DP 473899 and Lot 10 DP 473899).
3. The submitters made submissions on the Proposed District Plan ("PDP") opposing the proposed Rural Lifestyle zoning of their properties and seeking Rural Residential zoning instead. These submission points were allocated submission points #500.1, #467.1 and #473.2.
4. Mr Broomfield additionally made an original submission seeking the rezoning of land to the western end of Hansen Road on land owned by the Middleton's and Hansen's. This submission has been allocated the submission point number 500.17.
5. The various parcels of land that are the subject of original submission points 500.1, 467.1 and 473.2 are located within the study area of the Wakatipu Basin Land Use Study ("WBLUS"). None of these submission points attracted any further submissions.
6. The various parcels of land subject to the original submission point #500.17 is outside WBLUS and attracted further submissions from various parties. Mr Broomfield is not presenting evidence on original submission point #500.17 at the forthcoming hearing.
7. Council notified the submitters on 1 March 2017 that it was transferring original submission points #500.1, #500.17, #467.1 and #473.2 (et al) from the (later) Wakatipu Basin Hearing Stream to the (earlier) Queenstown and Queenstown Rural Hearing Stream.
8. Council's decision to transfer original submission points #500.1, #467.1 and #473.2 appears to be based on correspondence between Warwick Goldsmith and the Chair of Hearings Panel concerning original submissions #338 and part of #501 (comprised in a Memorandum from Mr Goldsmith of 27 February 2017 and a Minute from the Chair dated 28 February 2017), whereby the Chair agreed to transfer original submissions #338 and part of #501 to the (earlier) Queenstown and Queenstown Rural Hearing

Stream on the basis that the subject land was largely outside the WBLUS. It is the submitters' understanding that the decision of the Chair was only in relation to #500.17 as that was the "part" of the submission that is outside the WBLUS area. The Chair's decision does not relate to original submission points #500.1, #467.1 and #473.2 which are inside the WBLUS study area.

#### SPECIFIC ISSUE

9. It is possible that Council will initiate a variation to the PDP to address the issues raised in the WBLUS. This could result in the matters that are the subject of original submission points #500.1, #467.1 and #473.2 being reconsidered, with a corresponding duplication of cost and resources – both for the submitters and the Hearings Panel. It is therefore submitted that it is appropriate that consideration of original submission points #500.1, #467.1 and #473.2 be deferred until the (later) Wakatipu Basin Hearing Stream. The same could be applicable to original submissions #310.3 and #476.2 which are also within the study area of the WBLUS.

#### RELIEF SOUGHT

10. The submitters respectfully request that the consideration of their submission points numbered 500.1, 467.1 and 473.2 of the original submissions of David Broomfield (#500), Scott Conway (#467) and Richard Hanson (#473) be deferred until the Wakatipu Basin Hearing Stream.



Jayne Macdonald/Tim Sinclair

Counsel for David Broomfield, Scott Conway and Richard Hanson

5 May 2017