

**Before the Expert Panel appointed
under the Fast-track Approvals Act 2024**

Under the

Fast-track Approvals Act 2024

And

In the Matter of

an application for approvals by Mt Iron Junction Limited to develop 250 medium to high density residential dwellings, a childcare centre, a retail building, a café, reserve areas and recreation amenities

**Memorandum of Counsel on behalf of
Mt Iron Junction Limited responding to
draft conditions**

Dated: 15 September 2026

Level 1, 2 Memorial Street
PO Box 7348
Queenstown
Solicitor Acting: Joshua Leckie/Charlotte Coyle
Email: joshua.leckie@laneneave.co.nz/
charlotte.coyle@laneneave.co.nz
Phone: 03 409 0321

lane neave.

MAY IT PLEASE THE EXPERT PANEL

1. This Memorandum of Counsel is filed on behalf of Mt Iron Junction Limited (**MIJ**) in response to the Expert Panel's invitation in Minute 13 which accompanied the draft Record of Decision for the Mt Iron Junction Housing Scheme (**Project**).
2. Minute 13 directed comments pursuant to Section 70 of the Fast-track Approvals Act 2024 (**FTA**) be filed by 15 September 2026.
3. MIJ has reviewed the draft Record of Decision and conditions of consent. MIJ is in general agreement with the draft conditions of consent but wishes to comment on three changes to the draft conditions proposed by the Expert Panel and several changes for clarification or format corrections.
4. A comparison table of the conditions as drafted by the Expert Panel and MIJ's suggested changes is attached as **Appendix 1**.

Land Use Condition 11 and Subdivision Condition 55(f) - Residential Visitor Accommodation

5. Draft Land Use Consent Condition 11 (**Condition 11**) and Subdivision Condition 55(f) (**Condition 55(f)**) provide for the 20% limit on the amount of residential units in the Project which may be used for residential visitor accommodation (**RVA**).
6. MIJ respectfully seeks a change to the wording of Conditions 11 and 55(f) to ensure continued alignment in the future with the relevant planning documents.
7. MIJ recognises the concerns expressed by the Expert Panel at paragraph 243 of the draft Record of Decision that a rural zone controlled consent pathway as currently contained in the Queenstown Lakes Proposed District Plan (**PDP**) may be inappropriate in the Project Area which will be essentially urban in nature.
8. However, MIJ also considers that if the land is rezoned in the future, for example, to Medium Density Residential Zone, Conditions 11 and 55(f) would continue to limit the ability of future homeowners to apply for a resource consent despite what the provisions of that future zone may be. In our submission it is for the District Plan framework to govern future RVA consents for the 20% of units that have RVA enabled, rather than the FTA Approval conditions themselves.
9. MIJ respectfully requests that the wording of Conditions 11 and 55(f) be amended as set out in **Appendix 1** to better reflect the possibility of rezoning, while retaining the restriction of access to a controlled activity pathway under the current rural zoning. For clarity the change requested does not impact the 80% of units that must be used

for residential activity, therefore ensuring the overarching purpose of residential housing is retained as anticipated.

Subdivision Condition 52(bb) - Community Housing

10. Draft Subdivision Condition 52(bb) (**Condition 52(bb)**) provides for a donation of housing to the Queenstown Lakes Community Housing Trust (**QLCHT**) as part of the Project. The donation of 13 lots (5% of the total number of units) has been agreed with the QLCHT.
11. The Expert Panel has made a change to the wording of Condition 52(bb) which states that 5% of the *land area* of the residential component will be donated to QLCHT.
12. MIJ respectfully seeks that the wording of Condition 52(bb) be amended to better reflect the agreement between MIJ and QLCHT and evidence filed in relation to this point through the FTA process.
13. QLCHT and MIJ have agreed that MIJ will provide land capable of being developed to a density of 5% of the total number of units. MIJ wishes to retain flexibility as to the typology of section that will be provided (while still being 5% of the total number of units) and respectfully requests that the wording of Condition 52(bb) be amended to reflect this in accordance with **Appendix 1**.
14. MIJ does not have comment on the addition of the requirement for 13 units rather than just referring to 5% of land area as the previous version of the condition did. MIJ agrees with that the Expert Panel's addition of 13 units provides more certainty than referring to 5% of the total number of units.

Subdivision Condition 52(gg) - Staging of Active Transport Links

15. MIJ respectfully requests amendments to the timing and staging of the active transport links provided for in Subdivision Condition 52(gg) (**Condition 52(gg)**). These changes do not contest the Expert Panel's decision on the need for the active transport links, but seek to ensure the timing and staging of them does not result in active transport links leading to live construction activity.
16. The Expert Panel's draft conditions at 52(gg) state that links B2, D1, D2, and E1 are to be constructed:

“as part of the first stage of the subdivision that includes a residential unit or occupation of any residential unit, or prior to the commencement of any commercial activity on the site other than the consented service station.”

17. MIJ is concerned that if link B2 is constructed in the earlier stages as suggested by the Expert Panel, it will result in users being forced onto the highway by a construction

fence at the northeastern edge of the development until link C1 is formed during stages 2, 3 and 4. This area of the highway has limited space between the Project Area and the carriageway and raises serious safety risks for users.

18. To provide for this, MIJ respectfully requests that link B2 be developed later in the process, as part of the same stage as the completion of the northern end of C1, to ensure safety for track users and proposes to amend this condition in accordance with **Appendix 1**.

Minor additional corrections to Draft Conditions

19. The last section of **Appendix 1** recommends minor changes to the draft conditions as follows:
 - (a) In Draft Land Use Condition 4, to remove previous tracked changes and minor amendments to reflect correct sheet references. We also suggest the removal of the reference to the visual simulations in this condition.
 - (b) In Draft Subdivision Condition 3, minor consequential amendments to reflect correct sheet references.
 - (c) In Draft Subdivision Condition 10, an amendment to expressly refer to the detailed landscape plan being for the “*relevant stage*”.
 - (d) In Draft Subdivision Condition 52, an amendment to refer to the use of sites rather than buildings for the bulk flow water meter requirements.

Minor suggestions regarding draft Record of Decision text

20. Counsel acknowledges that the Section 70 comments process relates to the draft conditions rather than the draft Record of Decision however makes the following minor respectful suggestions regarding the draft Record of Decision:
 - (a) Counsel suggests including reference to the café and retail building on both the cover page and at paragraph 18 of the Record of Decision to ensure the decision is consistent with the activities to be approved.
 - (b) Counsel suggests replacing the reference to “*Sunfield*” at paragraph 337 of the draft Record of Decision with “*Mt Iron Junction Housing Scheme*” or “*Proposal*”.
 - (c) At paragraph 236 of the draft Record of Decision, the Expert Panel finds that it is appropriate for the consent notice under resource consent RM230506 to be removed under Section 221(3) of the Resource Management Act 1991.

For completeness, Counsel suggests this also be added to Part O “Draft Decision”. This could read as an addition to paragraph 348:

“...and the cancellation of consent notice under consent RM230506 as sought in the Application”.

21. These minor amendments are intended to correct errors and do not change any material matters in the Record of Decision.

Plan Set

22. For ease of reference, we have included a link to a full set of plans that are referenced in the condition set in the email accompanying this Memorandum of Counsel.
23. No new changes have been made to these plans from versions already provided to the Expert Panel.

Conclusion

24. MIJ thanks the Expert Panel for the opportunity to provide comments on the draft conditions and is happy to respond to any questions on the conditions from the Expert Panel, Mr Devlin, and/or other parties as necessary.

Dated 15 September 2026



Joshua Leckie / Charlotte Coyle
Counsel for Mt Iron Junction Limited

APPENDIX 1

Mount Iron Junction Limited Suggested Condition Amendments

Expert Panel Condition	MIJ Suggested Amendments
Visitor Accommodation	
Land Use Condition 11	
A land covenant under section 108 of the RMA shall be recorded on the 80% of the Record(s) of Title to ensure ongoing compliance with this requirement: <i>It is prohibited to use this unit for Visitor Accommodation and Residential Visitor Accommodation (other than Homestays), as defined in the Queenstown Lakes Proposed District Plan as at 1 September 2026.</i> For the 20% of the Records of Title that are not subject to the prohibition above, the land covenant shall read: <i>The use of the residential unit for Visitor Accommodation and Residential Visitor Accommodation (other than Homestays) as defined in the Proposed Queenstown Lakes District Plan is limited to 120 nights per annum.</i>	A land covenant under section 108 of the RMA shall be recorded on the 80% of the Record(s) of Title to ensure ongoing compliance with this requirement: <i>It is prohibited to use this unit for Visitor Accommodation and Residential Visitor Accommodation (other than Homestays), as defined in the Queenstown Lakes Proposed District Plan as at 1 September 2026.</i> For the 20% of the Records of Title that are not subject to the prohibition above, the land covenant shall read: <i>The use of the residential unit for Visitor Accommodation and Residential Visitor Accommodation (other than Homestays) as defined in the Proposed Queenstown Lakes District Plan is limited to 120 nights per annum <u>while the relevant title remains zoned Rural.</u></i> Formatting note – recommend adding a line space between condition 11 and condition 11A.
Subdivision Condition 55(f)	
The 20% of lots identified under Engineering Approval for the relevant stage that may be used for visitor accommodation or residential visitor accommodation (as those activities are defined in the Queenstown Lakes Proposed District Plan as at 1 September 2026) are subject to the following condition: <i>The use of the residential unit for Visitor Accommodation and Residential Visitor Accommodation (other than Homestays) as defined in the Proposed Queenstown Lakes District Plan is limited to 120 nights per annum.</i>	The 20% of lots identified under Engineering Approval for the relevant stage that may be used for visitor accommodation or residential visitor accommodation (as those activities are defined in the Queenstown Lakes Proposed District Plan as at 1 September 2026) are subject to the following condition: <i>The use of the residential unit for Visitor Accommodation and Residential Visitor Accommodation (other than Homestays) as defined in the Proposed Queenstown Lakes District Plan is limited to 120 nights per annum <u>while the relevant residential unit remains zoned Rural.</u></i>
Community Housing	
Subdivision Condition 52(bb)	
The Consent Holder shall provide confirmation in writing from the Queenstown Lakes Community Housing Trust (QLCHT), or an alternative community housing provider registered with the Community Housing Regulatory Authority and approved by the Queenstown Lakes District Council, that an agreement has been entered into to provide an area of land that: (i) Comprises no less than 5% of the land area of the residential component of the Mt Iron Junction Housing Scheme Land capable of accommodating at least 13 of the approved residential units;	The Consent Holder shall provide confirmation in writing from the Queenstown Lakes Community Housing Trust (QLCHT), or an alternative community housing provider registered with the Community Housing Regulatory Authority and approved by the Queenstown Lakes District Council, that an agreement has been entered into to provide an area of land that: ~~(i) Comprises no less than 5% of the land area of the residential component of the Mt Iron Junction Housing Scheme Land capable of accommodating at least 13 of the approved residential units;~~

(ii) is subdivided into the number of lots (minimum 13) that is 5% of the total number of lots developed on the residential component of the Mt Iron Junction Housing Scheme Land.	(ii) is subdivided into the number of lots (minimum 13) that is 5% of the total number of lots developed on the residential component of the Mt Iron Junction Housing Scheme Land.
Active Transport Links	
Subdivision Condition 52(gg)	
With regard to the construction of the Active Transport Links: - The paths shown as B2, D1, D2 and E1 shall be constructed and approved by QLDC and NZTA (as the road controlling authority for State Highways) as the case may be as part of the first stage of the subdivision that includes a residential unit or occupation of any residential unit, or prior to the commencement of any commercial activity on the site other than the consented service station. - The path shown as C1 shall be constructed as part of the adjoining Stages 2, 3, and 4 of the development. - The path shown as C2 shall be constructed as part of the construction of Mountain Road West.	With regard to the construction of the Active Transport Links: - The paths shown as ~~B2~~, D1, D2 and E1 shall be constructed and approved by QLDC and NZTA (as the road controlling authority for State Highways) as the case may be as part of the first stage of the subdivision that includes a residential unit or occupation of any residential unit, or prior to the commencement of any commercial activity on the site other than the consented service station. - The paths shown as C1 and ~~B2~~ shall be constructed as part of the adjoining Stages 2, 3, and 4 of the development. - The path shown as C2 shall be constructed as part of the construction of Mountain Road West.
General Corrections/Clarifications	
Land Use Condition 4	
The development shall proceed in accordance with the following plans: <i>Master Plans</i> a) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Overall Master Plan – Dated 07/09/2026 – Drawing No: 2023_084/011~~044002~~ – Rev P – Prepared by DCM Urban b) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Masterplan West – Dated 07/09/2026 – Drawing No: 2023_084/012 – Rev P - Prepared by DCM Urban c) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Masterplan East – 07/09/2026 - Drawing No: 2023_084/~~043~~ – Rev P - Prepared by DCM Urban d) Mt Iron Junction Ltd – Consent Engineering Design – Proposed Active Transport Links – Sheet 350 Rev 3 – Patersons 	The development shall proceed in accordance with the following plans: <i>Master Plans</i> a) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Overall Master Plan – Dated 07/09/2026 – Drawing No: 2023_084/011~~044002~~ – Rev P – Prepared by DCM Urban b) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Masterplan West – Dated 07/09/2026 – Drawing No: 2023_084/012 – Rev P - Prepared by DCM Urban c) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Masterplan East – 07/09/2026 - Drawing No: 2023_084/~~013~~ – Rev P - Prepared by DCM Urban d) Mt Iron Junction Ltd – Consent Engineering Design – Proposed Active Transport Links – Sheet 350~~1~~ Rev 3 – Patersons

<i>Landscape Design</i> a) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Street Cross Sections Sheets 028 - 031 –07.09.2026 - Prepared by DCM Urban b) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –Open Space – Sheets 033 – 042 – Rev P- Prepared by DCM Urban c) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –State Highway Interface – Sheet 044 – 064 Rev P- Prepared by DCM Urban d) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Details – Sheets 101-131 – Rev P- Prepared by DCM Urban e) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –Landscape Developed Design – Sheets 201-214 – Rev P- Prepared by DCM Urban f) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Detailed Planting Plan – State Highway Interface– Sheets 402 – 447 – Rev P - Prepared by DCM Urban	<i>Landscape Design</i> a) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Street Cross Sections Sheets 028 - 031 –07.09.2026 - Prepared by DCM Urban b) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –Open Space – Sheets 033 – 042 – Rev P- Prepared by DCM Urban c) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –~~State Highway Interface Details~~ – Sheet 044 – 064 Rev P- Prepared by DCM Urban d) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Details – Sheets 101-131 – Rev P- Prepared by DCM Urban e) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –Landscape Developed Design – Sheets 201-214 – Rev P- Prepared by DCM Urban f) ~~Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Detailed Planting Plan – State Highway Interface– Sheets 402 – 447 – Rev P – Prepared by DCM Urban~~
<i>Subdivision Condition 3</i>	
The development shall proceed in accordance with the following plans: <i>Master Plans</i> a) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Overall Master Plan – Dated 07/09/2026 – Drawing No: 2023_084/011 – Rev P - Prepared by DCM Urban b) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Masterplan West – Dated 07/09/2026– Drawing No: 2023_084/012– Rev P - Prepared by DCM Urban c) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Masterplan East – Dated 07/09/2026 - Drawing No: 2023_084/013 – Rev P - Prepared by DCM Urban d) Mt Iron Junction Ltd – Consent Engineering Design – Proposed Active Transport Links – Sheet 350 Rev 3 – Patersons	The development shall proceed in accordance with the following plans: <i>Master Plans</i> a) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Overall Master Plan – Dated 07/09/2026 – Drawing No: 2023_084/011 – Rev P - Prepared by DCM Urban b) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Masterplan West – Dated 07/09/2026– Drawing No: 2023_084/012– Rev P - Prepared by DCM Urban c) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Masterplan East – Dated 07/09/2026 - Drawing No: 2023_084/013 – Rev P - Prepared by DCM Urban d) Mt Iron Junction Ltd – Consent Engineering Design – Proposed Active Transport Links – Sheet 350~~1~~ Rev 3 – Patersons

...	...
<i>Landscape Design</i>	<i>Landscape Design</i>
a) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Street Cross Sections Sheets 028 - 031 – 07.09.2026 - Prepared by DCM Urban b) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –Open Space – Sheets 033 – 042 – Rev P- Prepared by DCM Urban c) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –State Highway Interface – Sheet 044 – Rev P- Prepared by DCM Urban d) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Details – Sheets 067 – 085 – Rev P- Prepared by DCM Urban e) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –Landscape Developed Design – Sheets 101 – 131 – Rev P- Prepared by DCM Urban f) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Detailed Planting Plan – State Highway Boundary Treatment– Sheets L 201 – L214 – Rev P- Prepared by DCM Urban	a) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Street Cross Sections Sheets 028 - 031 – 07.09.2026 - Prepared by DCM Urban b) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –Open Space – Sheets 033 – 042 – Rev P- Prepared by DCM Urban c) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –~~State Highway~~ <u>Interface-Details</u> – Sheet 044 – ~~064~~ – Rev P- Prepared by DCM Urban d) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Details – Sheets 067 – 085 – Rev P- Prepared by DCM Urban e) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape –Landscape Developed Design – Sheets 101 – 131 – Rev P- Prepared by DCM Urban f) Mt Iron Junction Fast Track Application – Graphic Attachment – Urban Design and Landscape – Detailed Planting Plan – State Highway Boundary Treatment– Sheets L 201 – L214 – Rev P- Prepared by DCM Urban
<i>Subdivision Condition 10</i>	
Prior to the commencement of any landscape works on road or reserve areas (including pedestrian/cycle track works on Mount Iron) under this consent on the site, the consent holder shall provide a detailed landscape plan (including design specifications) to be certified by the Queenstown Lakes District Council's Parks & Open Spaces Planning Manager. The final landscape plan shall achieve the following:	Prior to the commencement of any landscape works on road or reserve areas (including pedestrian/cycle track works on Mount Iron) under this consent on the site, the consent holder shall provide a detailed landscape plan <u>for the relevant stage</u> (including design specifications) to be certified by the Queenstown Lakes District Council's Parks & Open Spaces Planning Manager. The final landscape plan shall achieve the following:
<i>Subdivision Condition 52</i>	
	Formatting note – recommend adding a line space between condition 52(b) and condition 52(c).
g. The provision of bulk flow water meters for commercial and childcare buildings.	g. The provision of bulk flow water meters for commercial (<u>Lot 100</u>) and childcare ~~buildings~~ <u>(Lot 101) sites.</u>