

Under the Resource Management Act 1991 (**RMA**)  
In the matter of Priority Area Landscape Schedules Variation to the  
Queenstown Lakes Proposed District Plan

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**Memorandum of counsel on behalf of various submitters and further submitters  
represented by Anderson Lloyd**

17 August 2023

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**Submitters' solicitors:**  
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lloyd.**

## **May it please the Panel**

- 1 This memorandum of counsel is provided on behalf of various submitters and further submitters represented by Anderson Lloyd and in response to Minute 1 of the Hearing Panel dated 4 August 2023.
- 2 Counsel have made regular informal enquiries as to the likely timing of the landscape schedules hearings, and evidence exchange periods, since lodging submissions in mid-to-late 2022. Despite this, counsel was provided with no indication of such timings, and was unaware the Panel had been formally appointed, or that a hearing date had been set, until Minute 1 was circulated.
- 3 Counsel considers the evidence exchange timetable is extremely tight, particularly because the submitters and further submitters and their experts had no advance warning of the likely hearing date, meaning they were unable to distribute their workloads in anticipation of the hearing. At least four of the submitters are represented by a landscape expert who is already engaged and has undertaken significant work in respect of the variation, is unavailable during evidence exchange and caucusing periods.
- 4 Counsel acknowledges that the deadline for expert submitter evidence has been extended by one working day in response to the section 42A report being circulated one day late. However, simply put, experts will not be able to provide evidence within a three-week time period, having only just receive Council's evidence to respond to.
- 5 Counsel respectfully request the entire timetable and hearing dates be deferred by one month to enable the submitters and further submitters sufficient time to prepare for the hearing.
- 6 In the instance Council is unable to accommodate a one-month extension to hearings (and the rest of the timetabling), Counsel alternatively, and respectfully, requests the evidence exchange timetable be extended by one week to enable the experts sufficient time to prepare evidence and undertake any remaining site visits, as follows:
  - (a) Date for electronic filing any expert evidence with the Hearing Administrator – 12 noon 15 September 2023;
  - (b) Rebuttal evidence on behalf of QLDC – 12 noon 6 October 2023;
  - (c) Facilitated expert witness conferencing if required – week of 10 October 2023.

- 7 It is submitted there will be no prejudice to Council by allowing the extension to the timetable as sought in either request above, because Council's experts have had eight months to prepare their section 42A report, during which time there have been no updates to the submitters or further submitters. Conversely, the Panel are likely to be better assisted by well prepared evidence, enabled by sufficient timetabling dates.

Dated this 17<sup>th</sup> day of August 2023

*Maree Baker-Galloway*

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Maree Baker-Galloway/Rosie Hill  
Counsel for various submitters to the landscape schedules