

**QUEENSTOWN LAKES DISTRICT COUNCIL PROPOSED DISTRICT PLAN: PRIORITY AREA LANDSCAPE  
SCHEDULES**

**MINUTE OF COMMISSIONERS**

**31 October 2023**

1. The Queenstown Lakes District Council (Council) has appointed a Hearing Panel, which comprises Commissioners Jane Taylor, Peter Kensington and Quentin Smith (the Commission), to hear all submissions and, after it has heard the submissions, to make recommendations on the Variation to the Proposed District Plan: Priority Area Landscape Schedules as to whether to accept or reject the submissions received and any amendments to the provisions of the Schedules.
2. The Council is then required to decide whether to accept or reject the Hearing Panel's recommendations.

Memorandum on behalf of Cardrona Cattle Company Limited concerning PA and ONL/F Mapping

3. A Memorandum of Cardrona Cattle Company Limited (CCCL) dated 27 October 2023 has been received with respect to various issues concerning submissions and expert evidence relating to changes in PA and ONF/L and RCL boundaries (the CCCL Memorandum).
4. Whether this hearing panel has jurisdiction to recommend changes the PA boundaries that were established by the Environment Court and, if so, whether the PDP's ONF/L and RCL boundaries may also be amended (based on the evidence before us), is plainly one of the principal issues in this hearing.
5. Many submitters have made legal submissions in relation to our jurisdiction with respect to mapping, and/or filed expert evidence in relation to requested changes in the PA, ONF/L and/or RCL boundaries. For the avoidance of any doubt, we wish to make it quite clear that we have not made any decision on this important jurisdictional matter. In the interests of efficiency and fairness, our approach has been to receive all submissions and evidence on mapping issues as the hearing has proceeded, pending our resolution of the jurisdictional issue, which will not be determined until after Council's reply has been received. Where the evidence has been incomplete or has not been clear, we have requested the filing of additional evidence to clarify matters raised orally at the hearing, including the clarification of points raised in evidence on behalf of Passion Developments Limited and Mr Jon Waterston. We also reserve the right to call for further evidence on any point should this prove necessary prior to completing our report.
6. The process we have adopted should not be interpreted as giving any indication as to whether we do or do not consider that we have jurisdiction to recommend any boundary changes to either the PA areas, or the ONF/L or RCL boundaries. Further, our request for clarification of mapping evidence presented at the hearing should not be interpreted as an open invitation to parties to file additional evidence that was not requested by the hearing panel. Any such evidence, unless specifically requested, will not be accepted.
7. In relation to CCCL's Memorandum at paragraph 2, which references Council's Memorandum dated 20 October 2023, we do not accept that Ms Gilbert's clarification of the Kimiākau Shotover River ONF PA boundary as set out in her rebuttal evidence dated 29 September 2023 at paragraphs 3.2 to 3.4 makes any comment on, or that any inference can be drawn in relation to, amending the adjacent ONL boundary under the PDP. We understand that Ms Gilbert's evidence at paragraphs 9 to 11 of Council's 20 October 2023 Memorandum clarifies that the Kimiākau Shotover River ONF PA boundary for the purposes of this

hearing is consistent with the 2020 JWS/ Environment Court's confirmed PA mapping, which excludes the "Shotover Loop" land (which is the subject of a separate appeal to the Environment Court) from the PA. The PDP ONL line, which includes the Shotover Loop land, remains unchanged. For CCCL to infer that Ms Gilbert's clarification of her evidence "*confirms that the Panel is able to receive expert evidence as to what is and isn't considered by an expert to be ONL and ONF*" is disingenuous. We have explained our approach to hearing the mapping issues above. We further note that Ms Gilbert's clarification was only sought by the Panel in response to Mr Giddens' evidence on behalf of the Arthurs Point Outstanding Natural Landscape Society Inc, as there seemed to be an inconsistency of interpretation with respect to the applicable PA boundary in this location.

8. With respect to Mr Smith's mapping evidence on behalf of CCCL, we note that the maps presented with the CCCL Memorandum correspond to his evidence at the hearing, in relation to which we did not require any further clarification.
9. Should any party have any queries in relation to this Minute or require any clarification in relation to the process for this hearing, please contact the Hearings Administrator at [dp.hearings@qldc.govt.nz](mailto:dp.hearings@qldc.govt.nz).



Jane Taylor

For the Commission

31 October 2023