

Queenstown Lakes District Council

Variation to Queenstown Lakes Proposed District Plan: Te Pūtahi Ladies Mile

11 October 2023

Hearing Panel Minute: Response to counsel for Queenstown Lakes District Council

1.1 On 11 October 2023 counsel for Queenstown Lakes District Council asked the Hearing Panel to make several directions in relation to timing for specific hearing processes and witnesses.

1.2 The issues relate to:

- (a) **The Slope Hill ONF expert conferencing:** The council's expert on this matter is unavailable for expert conferencing in the dates proposed. The Hearing Panel appreciates that Ms Gibert is unavailable and counsel's efforts to reorganise a specific conferencing session for this issue. That includes revised timing for the experts of Glenpanel Development Limited and Milstead Trust (Messrs Milne and Compton-Moen) to file their evidence on this singular issue so that it occurs after the revised conferencing date. That makes sense to the Hearing Panel for the reasons expressed in paragraph 9 of QLDC's memorandum. Leave is also sought for this conferencing to occur online and without a facilitator. The Hearing Panel is willing for this session to be done online but our preference is that the Independent Facilitator attends. However, if that is not possible in the revised time then on this occasion the experts can conference without the facilitator. If this occurs the Hearing Panel expects all the experts to be fully prepared and to provide a clear, signed, joint statement at the end of the session to the Hearing Administrator.
- (b) **Rebuttal Evidence of Ms Gilbert:** As above Ms Gibert is away and counsel for QLDC request an extended rebuttal evidence time. The Hearing Panel accepts that request.
- (c) **Heritage - Mr Miller's reply to questions from submitters:** Mr Miller is away during the proposed timeframes. Counsel for QLDC proposes that he answers any questions when presenting at the hearing. The Hearing Panel accepts that proposal but requests that if Mr Miller can reasonably respond sooner to any questions that he does so (assuming he gets any questions).
- (d) **Filing and size of legal submissions for QLDC:** The Hearing Panel accepts that QLDC's opening submissions may exceed 20 pages given the breadth of matters to be addressed. The Hearing Panel proposes doubling the size to 40 pages (excluding appendices) and encourages counsel to keep them as focused as is reasonable. In relation to timing the Hearing Panel is keen to read legal submissions before the hearing. The Hearing Panel's preference is that legal submissions are filed by 5pm on Friday 24 November to give the weekend for it to be read. If either of these matters is unreasonable then counsel can email the Hearing Administrator and seek leave for further directions.

1.3 It is therefore directed that:

- (a) Expert witness conferencing on landscape issues that concern the Slope Hill ONF is to occur remotely and if the facilitator is unavailable without a facilitator on **Wednesday 18 October 2023**;

- (b) Glenpanel Development Limited (submitter 73) and Milstead Trust (submitter 108)'s experts, Mr Tony Milne and Mr Dave Compton-Moen, must provide their landscape evidence electronically to the Hearing Administrator by 12pm (noon) **Wednesday 25 October 2023**;
- (c) Council's expert, Ms Bridget Gilbert, may provide rebuttal evidence electronically to the Hearing Administrator by 12pm (noon) **Friday 24 November 2023**;
- (d) If Council's expert, Mr Robin Miller, is asked written questions by parties, he shall provide written answers as soon as reasonable or when presenting his evidence at the hearing;
- (e) The Council's legal submissions are to be provided electronically to the Hearing Administrator by 5pm on **Friday 24 November 2023**; and
- (f) The Council may file legal submissions no longer than 40 pages (excluding appendices).

David Allen, Gillian Crowcroft, Hoani Langsbury, Judith Makinson and Ian Munro.

Independent Hearing Commissioners

11 October 2023