

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 12-
Upper Clutha Mapping

**EIGHTH PROCEDURAL MINUTE UPDATING ARRANGEMENTS FOR UPPER
CLUTHA MAPPING HEARINGS**

Introduction

1. The purpose of this Minute is to update our seventh procedural minute dated 25 January 2017 and to confirm arrangements for the Upper Clutha mapping hearings commencing on 15 May at the Lake Hawea Community Centre.
2. It is intended to read alongside the formal Notice of Hearing which has now been issued by the Council, along with the Section 42A Report and accompanying evidence in accordance with the first step of the prehearing timetable set out at paragraph 3 of our seventh minute.
3. Since our seventh Minute, we have received a number of applications and have issued five minutes directing variations to the arrangements set out in that Minute:
 - (1) A Minute responding to an application on behalf of M Beresford issued 10 February 2017;
 - (2) A Minute responding to an application by QLDC issued on 6 March 2017;
 - (3) A Minute responding to an application on behalf of Glendhu Bay Trustees issued on 9 March 2017;
 - (4) A Minute responding to an application by Berne Sugrue issued on 23 March 2017;
 - (5) A Minute responding to an application by QLDC issued on 24 March 2017.

4. We have also received a number of applications that have been dealt with more informally. Specifically a number of submitters and further submitters have been added to the Hearing Schedule as follows:

(1) Messrs Fountain (Submitter 33) and Suddaby (Submitter 448) have been inserted at 3:30 pm on 23 May 2017, their request to be heard having inadvertently not been actioned previously;

(2) Mr Darryll Rogers (Further Submitter 1138) has been inserted at 2:40pm on 25 May 2017. Mr Rogers advised that he had failed to appreciate the need to confirm his previous request to be heard and his late request was able to be accommodated;

(3) Mr John May (Further Submitter 1094) has been inserted at 10am on 14 June. Mr May's representatives advised that they likewise had inadvertently failed to confirm Mr May's request to be heard in respect of his further submission and due to the rescheduling of another submitter (noted below), there was a gap in the Hearing Schedule that could be reallocated to Mr May;

(4) Tui Advisers (Further Submitter 1053) and Noel Williams (Further Submitter 1149) have been inserted into the Hearing Timetable at 4:50pm and 5:00pm respectively on 13 June. Again, the failure to provide confirmation of their wish to be heard was a result of inadvertence, and these further submitters could be allocated two 10 minute slots at the end of the hearing day;

(5) Jim Ledgerwood (Submitter 507) has been inserted into the Hearing Timetable on 23 May. Mr Ledgerwood inadvertently failed previously to confirm his wish to be heard;

(6) Ros and Dennis Hughes (Further Submitter 1011) has been inserted into the Hearing Schedule on 7 June. The failure to provide confirmation of their wish to be heard appears to have been a consequence of their further submission having been miscoded.

5. Other material changes to the Hearing Timetable are as follows:

(1) Queenstown Airport Corporation (Further Submitter 1340) has been shifted within the timetable, now to be heard commencing 3:50pm on 1 June and continuing with a half day slot on 2 June, to accommodate a conflict with the Environment Court Hearing on the Otago Regional Policy Statement;

- (2) The one day hearing slot previously occupied by Varina Pty Limited on 24 May has been reallocated to Hawthenden Limited with the former being shifted to the hearing slot on 30 May previously allocated to Hawthenden Limited - to accommodate the unavailability of a key Hawthenden Limited expert witness for the later hearing slots. Consequent on the Varina shift, Sneaky Curlew Pty Ltd has also been shifted to 30 May as the relief sought by the latter overlaps with that of Varina Pty Ltd;
 - (3) Ms Heather Pennycook (Submitter 585) has been shifted to the 3:50pm slot on 7 June in order that she might be heard in conjunction with Royal Forest and Bird Protection Society Inc;
 - (4) M Beresford has been shifted to the hearing slot commencing 12:20pm on 14 June for the reasons set out in the Minute referred to above;
 - (5) Peninsula Bay Joint Venture has been deleted from the hearing Schedule, consequent of the Council's resolution (on 16 March 2017) to withdraw the land the subject of Plan Change 51 from the Proposed District Plan.
6. These are unlikely to be the last changes to the Hearing Schedule. We have just been advised of a conflict one counsel (acting for a number of parties) has arising from an Environment Court fixture in the week of 22 May.

Pre-Hearing Timetable

7. Our Memorandum of 25 January 2017 directed the following steps following release of the Notice of Hearing and Section 42A Reports on 21 March 2017:
 - (1) Date for lodging submitter evidence 4 April 2017;
 - (2) Date for lodgement of rebuttal evidence 28 April 2017;
 - (3) Hearing Panel site visits – week of 8 May 2017.
8. Those directions have since been varied in the following respects:
 - (1) Provision has been made for the landscape and planning evidence for Glendhu Bay Trustees Limited to lodged on or before 1pm on 11 April 2017 accompanied by supplementary briefs of evidence of any witnesses whose evidence requires amendment consequential on the final form of that evidence (refer our 9 March Minute for the details);

- (2) Any rebuttal evidence on the evidence of Glendhu Bay Trustees Limited referred to in the previous point, may be filed on or before 1pm on 5 May 2017 (refer our 9 March Minute for the details);
 - (3) The Council may file updated outputs from its dwelling capacity model together with evidential commentary thereon on or before 1pm on 28 April 2017 (refer our 6 March Minute for the details);
 - (4) Any rebuttal evidence on the Council's dwelling capacity model outputs and/or Council witness commentary thereon may be filed on or before 1pm on 8 May 2017 (refer our 6 March Minute for the details);
 - (5) The planning evidence for Bernie Sugrue may be filed on or before 1pm on 14 April (refer our 23 March 2017 Minute for the details);
 - (6) Rebuttal evidence for Council may be filed on or before 1pm on 5 May (refer our 24 March 2017 Minute for the details).
9. For the avoidance of doubt, save as has been the subject of previous direction, and summarised above, the Panel's directions of 25 January 2017 for circulation of evidence remain in place.
10. That means, in summary, that unless the subject of separate direction:
- (1) Evidence in Chief must be lodged on or before 24 April;
 - (2) Rebuttal evidence must be lodged on or before noon on 28 April.
11. We should, however, add a note of clarification. The Hearing Administrator has been asked to confirm the evidential requirements for further submitters. Further submitters are still submitters. Accordingly, their evidence in chief should be filed on or before 4 April. The content of that evidence will, however, reflect the extent to which the further submitter is able to anticipate the case brought on the primary submission that they support or oppose. If the primary submission in question is quite detailed (some submissions have included, for instance, large amounts of technical detail and/or a section 32 analysis), there may be quite a lot a further submitter might usefully contribute by way of evidence. Other submissions are relatively sparse in terms of the detail of what is proposed, and why, in which case, there may be little or nothing a further submitter could usefully contribute by way of evidence in chief.

12. Further submitters have the ability to file rebuttal evidence within the time specified for that purpose (generally 28 April, but subject to the exceptions noted above).
13. Such rebuttal evidence should cover the matters that the further submitter was not able to anticipate would be raised by the primary submitter. The Hearing Panel expects further submitters to take a realistic and common sense view when applying these considerations. It does not intend to undertake a forensic analysis on a point by point basis as to what further submitters might or might not have been able to reasonably foresee the primary submitter would say in evidence.
14. Lastly, we note the Chair's Minute dated 17 March 2017 confirming that the previous direction (prior to the commencement of hearings on the text of the Proposed District Plan dated 25 January 2016) that expert witnesses may only present one brief of evidence per topic did not apply to the mapping hearings and stating a preference that legal submissions and evidence address the changes requested in each discrete geographical area separately.

For the Upper Clutha Mapping Hearing Panel

A handwritten signature in blue ink, appearing to read 'T. Robinson', with a large, stylized flourish extending upwards and to the left.

Trevor Robinson (Chair)

28 March 2017

	Monday	Tuesday	Wednesday	Thursday	Friday				
	15 May	16 May	17 May	18 May	19 May				
	Wanaka	Wanaka	Wanaka	Wanaka	Wanaka				
	Lake Hawea Community Centre								
10:00		Council Opening	Council Opening	Council Opening	Council Opening				
10:10									
10:20									
10:30									
10:40									
10:50									
11:00									
11:10									
11:20									
11:30									
11:40		Break	Break	Break	Break				
11:50		Council Opening	Council Opening	Council Opening	Council Opening				
12:00									
12:10									
12:20									
12:30									
12:40									
12:50									
1:00						Lunch	Lunch	Lunch	
1:10									
1:20									
1:30									
1:40									
1:50									
2:00	Council Opening	Council Opening	Council Opening	Council Opening					
2:10									
2:20									
2:30									
2:40									
2:50									
3:00									
3:10									
3:20									
3:30									
3:40	Break	Break	Break	Break					
3:50	Council Opening	Council Opening	Council Opening	Council Opening					
4:00									
4:10									
4:20									
4:30									
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4:50									
5:00									
5:10									

	Monday	Tuesday	Wednesday	Thursday	Friday																
	22 May	23 May	24 May	25 May	26 May																
	Wanaka	Wanaka	Wanaka	Wanaka	Wanaka																
	Lake Wanaka Centre	Lake Wanaka Centre	Lake Wanaka Centre	Lake Wanaka Centre	Lake Wanaka Centre																
10:00		Shane Jopson, Duncan White Paterson Pitts Partners (Wanaka) Ltd 287		Satomi Holdings Limited 619 Tim Williams, Southern Planning Group	Sir Clifford George Skeggs and Marie Eleanor Lady Skeggs 412 Graeme Todd (Counsel) and Don Anderson (Planner)																
10:10		Christopher Jopson, Jacqueline Moreau, Shane Jopson		Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Stuart Ian & Melanie Kiri Agnes Pinfold & Satomi Enterprises Limited 622 Tim Williams, Southern Planning Group	Bernie Sugrue 588 Ian Greaves, Southern Planning Group															
10:20		Wanaka Central Developments Ltd 326 (John Young, Duncan White Paterson Pitts Partners (Wanaka) Ltd					Break	Break	Break												
10:30				Break	Break	Break															
10:40										Break	Break	Break									
10:50													Break	Break	Break						
11:00																Break	Break	Break			
11:10																			Break	Break	Break
11:20																					
11:30		Break					Break	Break													
11:40				Break	Break	Break															
11:50									Break	Break	Break										
12:00												Break	Break	Break							
12:10															Break	Break	Break				
12:20																		Break	Break	Break	
12:30	Break		Break																		Break
12:40		Break					Break	Break													
12:50				Break	Break	Break															
1:00									Break	Break	Break										
1:10												Break	Break	Break							
1:20															Break	Break	Break				
1:30																		Break	Break	Break	
1:40	Break		Break																		Break
1:50		Break					Break	Break													
2:00				Trustees of the Gordon Family Trust 395/1193 Graeme Todd (Counsel), Duncan White (Planner), and Jason Bartlett (Traffic Consultant)	Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460															
2:10									Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner										
2:20												Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner							
2:30															Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner				
2:40																		Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner	
2:50	Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence		Jude Battson 460																		Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner
3:00		Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence					Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner													
3:10				Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner															
3:20									Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner										
3:30												Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner							
3:40															Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner				
3:50																		Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner	
4:00	Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence		Jude Battson 460																		Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner
4:10		Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence					Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner													
4:20				Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner															
4:30									Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner										
4:40												Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner							
4:50															Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner				
5:00																		Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence	Jude Battson 460	Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner	
5:10	Hawthenden Limited 776 legal submissions, economist, agricultural expert, planning and landscape evidence		Jude Battson 460																		Orchard Road Holdings Ltd and Willowridge Developments Limited 91/249/1012/1013 Planner

	Monday	Tuesday	Wednesday	Thursday	Friday				
	29 May	30 May	31 May	1 June	2 June				
	Wanaka	Wanaka	Wanaka	Wanaka	Wanaka				
	Edgewater	Edgewater	Edgewater	Edgewater	Edgewater				
10:00		Varina Propriety Limited 591 Ian Greaves, Southern Planning Group Lawyer, Planner, Urban Designer, Engineer	Allenby Farms Limited 502 Warwick Goldsmith	Jackie (Plus others) Redai (Plus others), Southern Land 152	Queenstown Airport Corporation 1340 Kirsty O'Sullivan				
10:10									
10:20									
10:30									
10:40									
10:50									
11:00				Robert and Rachel Todd, Glenys and Barry Morgan, Paterson Pitts Partners (Wanaka) Ltd 783/815					
11:10									
11:20									
11:30									
11:40				Break		Break	Break	Break	
11:50						Varina Propriety Limited 591 Ian Greaves, Southern Planning Group Lawyer, Planner, Urban Designer, Engineer	Allenby Farms Limited 502 Warwick Goldsmith	Glen Dene Ltd (Richard Burdon) 384 Graeme Todd (Counsel), Duncan White (Planner), and Ben Espie (Landscape Architect)	Queenstown Airport Corporation 1340 Kirsty O'Sullivan
12:00									
12:10									
12:20									
12:30									
12:40									
12:50									
1:00	Lunch	Lunch	Lunch						
1:10									
1:20									
1:30									
1:40									
1:50									
2:00						Varina Propriety Limited 591 Ian Greaves, Southern Planning Group Lawyer, Planner, Urban Designer, Engineer	Allenby Farms Limited 502 Warwick Goldsmith	Lake McKay Station Ltd 481/482/483/484	
2:10									
2:20									
2:30									
2:40	Sneaky Curlew Pty Ltd 737 Duncan White, Paterson Pitts Partners (Wanaka) Ltd								
2:50									
3:00									
3:10									
3:20									
3:30	Seven Albert Town Property Owners 1038 Charlie Grant								
3:40	Break	Break	Break		Break				
3:50			Allenby Farms Limited 502 Warwick Goldsmith		Queenstown Airport Corporation 1340 Kirsty O'Sullivan				
4:00									
4:10									
4:20									
4:30									
4:40				Trustees of the Blennerhassett Family Trust 413 Graeme Todd (Counsel)					
4:50									
5:00									
5:10									

	Tuesday	Wednesday	Thursday	Friday
	6 June	7 June	8 June	9 June
	Wanaka	Wanaka	Wanaka	Wanaka
	Lake Wanaka Centre	Lake Wanaka Centre	Lake Wanaka Centre	Lake Wanaka Centre
10:00				
10:10				
10:20				
10:30		Lesley and Jerry Burdon 581	Glendhu Bay Trustees Ltd 583	Crosshill Farms Limited 531
10:40		Katia Fraser, Lesley and Jerry Burdon	Represented by Six Experts	Maree Baker-Galloway
10:50				
11:00				
11:10				
11:20				
11:30				
11:40		Break	Break	Break
11:50				
12:00				
12:10				
12:20		Lesley and Jerry Burdon 581	Glendhu Bay Trustees Ltd 583	Crosshill Farms Limited 531
12:30		Katia Fraser, Lesley and Jerry Burdon	Represented by Six Experts	Maree Baker-Galloway
12:40				
12:50				
1:00				
1:10		Lunch	Lunch	
1:20				
1:30				
1:40				
1:50				
2:00		Lesley and Jerry Burdon 581		
2:10		Katia Fraser, Lesley and Jerry Burdon		
2:20	The Longview Environmental Trust 1282 Scott Edgar			
2:30		Dennis & Ros Hughes FS1011	Glendhu Bay Trustees Ltd 583	
2:40			Represented by Six Experts	
2:50	The Alpine Group Limited 315/1309 Scott Edgar			
3:00				
3:10	James Cooper 400/1162			
3:20	Graeme Todd (Counsel) Ben Espie			
3:30				
3:40	Break	Break	Break	
3:50				
4:00				
4:10		Heather Pennycook/ Forest and Bird	Glendhu Bay Trustees Ltd 583	
4:20	Contact Energy 580	585/706	Represented by Six Experts	
4:30	TBC			
4:40				
4:50				
5:00				
5:10				

	Monday	Tuesday	Wednesday
	12 June	13 June	14 June
	Wanaka	Wanaka	Wanaka
	Edgewater	Edgewater	Edgewater
10:00			
10:10			
10:20			
10:30		Jeremy Bell Investments Ltd	John Johannes May
10:40		782/820	1094
10:50		Phil Page	Legal submissions, planning and landscape architecture evidence
11:00			
11:10			
11:20			
11:30			
11:40		Break	Break
11:50			
12:00			John Johannes May
			1094
12:10			Legal submissions, planning and landscape architecture evidence
		Jeremy Bell Investments Ltd	
		782/820	
12:20		Phil Page	M Beresford, C/- Planz Consultants Limited
			149
12:30			5-6 witnesses, the submitter, a Planning witness, a Landscape witness, an Engineering witness, a Traffic witness and a witness addressing land availability. There may also be legal submissions.
12:40			
12:50			
1:00			
1:10		Lunch	Lunch
1:20			
1:30			
1:40			
1:50			
2:00			
2:10			
2:20			M Beresford, C/- Planz Consultants Limited
			149
2:30		Jeremy Bell Investments Ltd	5-6 witnesses, the submitter, a Planning witness, a Landscape witness, an Engineering witness, a Traffic witness and a witness addressing land availability. There may also be legal submissions.
		782/820	
		Phil Page	
2:40			
2:50			
3:00			
3:10			
3:20			
3:30			
3:40		Break	Break
3:50			
4:00			
4:10			
4:20		Jeremy Bell Investments Ltd	Upper Clutha Environmental Society
		782	1034
4:30		Phil Page	Julian Haworth
4:40			
4:50			
5:00		Tui advisers	
		FS1053	
		David Barton	
5:10		Noel Williams	
		FS1149	