

Before Queenstown Lakes District Council

In the matter of The Resource Management Act 1991

And The Queenstown Lakes District proposed District Plan Topic 12
Upper Clutha Mapping Hearings

**MEMORANDUM OF COUNSEL REQUESTING EXTENSION OF TIMEFRAME FOR
LODGING EVIDENCE**

Glendhu Bay trustees Limited (#0583)

Dated 06 March 2017

Solicitors

Anderson Lloyd
M A Baker-Galloway | R E Hill
Level 2, 13 Camp Street, Queenstown 9300
PO Box 201, Queenstown 9348
DX Box ZP95010 Queenstown
p + 64 3 450 0700 | f + 64 3 450 0799
maree.baker-galloway@al.nz | rosie.hill@al.nz

**anderson
lloyd.**

MAY IT PLEASE THE COMMISSIONERS

- 1 Glendhu Bay Trustees Limited ("**Submitter**") submitter #0583, has submitted on the District Plan review ("**DPR**") to rezone the land and create a new Glendhu Station Zone, to better reflect the nature of approved development, the character of the area, and to provide for the sustainable management of the land resource.
- 2 The Submission is a comprehensive proposal which includes a complete new suggested chapter for the requested Special Zone and an associated Structure Plan.
- 3 The Submitter has been allocated a hearing time of one full day on 08 June 2017. The case to be presented will include in the order of seven expert witnesses and legal counsel.
- 4 It has been brought to the attention of Counsel for the Submitter that one of its key experts (Yvonne Pfluger, landscape architect) will not be able to meet the directed timetable for exchange of evidence as included in the Chair's Seventh Procedural Minute, dated 25 January 2017.
- 5 Ms Pfluger has become involved in assisting the implementation of urgent work being progressed under the Hurunui/Kaikōura Earthquakes Recovery (Coastal Route and Other Matters) Order 2016. This Order is developed in accordance with special legislation to respond to the major Kaikoura earthquakes of November 2016. Ms Pfluger's work on this project is due to end at the end of March, contemporaneously with the revocation of the Order in Council (on 31 March 2017).
- 6 Given the national significance and importance of the work which Ms Pfluger has been engaged on, Counsel respectfully requests that the timetabled evidence exchange be amended to accommodate Ms Pfluger's limited availability. Counsel respectfully submits that given the timeframes directed in the seventh Procedural Minute are not statutory timeframes, and that the hearing of the evidence will not be until 08 June 2017, an alternative timetable can be implemented which will not prejudice other submitting parties and the Council experts.
- 7 As many of the Submitters' experts' evidence will be dependent on, or related to the evidence of Ms Pfluger, this request for an extension is made for all of the evidence for the Submitter.
- 8 In order to be fair, it is also suggested that any evidence from other submitters on the requested new zone be given the opportunity to comply with the same

amended timeframe. The Further Submissions on the original Submission seeking a new zone are:

- (a) FS 1034 – Upper Clutha Environmental Society;
- (b) FS 1053 – Tui Advisers Limited;
- (c) FS 1094 – John May;
- (d) FS 1125 – NZ Fire Service;
- (e) FS 1149 – Noel Williams.

9 Counsel submits that the above mentioned submitters will have ample opportunity to respond to the Submitter's evidence prior to the hearing of submissions on 08 June, within the suggested amended timeframe of a seven day extension. There will still be approximately four weeks of preparation time for Council and further submitters between lodgement of rebuttal evidence and the hearing date. There will therefore be no prejudice to submitting parties and the Council to running an efficient hearing, with a fair process.

10 Accordingly, Counsel suggests the following amended timetable for the Submitter's evidence:

Upper Clutha Mapping timetable	Date
Notice of hearing and 42a reports due	21 March 2017
Date for lodgement of submitter evidence	4 April 2017* *(except for submitter 0583 and further submitters 1034, 1053, 1094, 1125, 1149, in respect of original Submission 0583 regarding the requested new Chapter 44 Glendhu Station Zone evidence due 13 April 2017)
Lodgement of rebuttal evidence	28 April 2017* *(except for Submitter 0583 and further submitters 1034, 1053, 1094, 1125, 1149, in respect of original Submission 0583, due 09 May 2017)

Dated 06 March 2017

A handwritten signature in black ink, appearing to read 'Rosie Hill', is centered on the page. The signature is fluid and cursive.

Rosie Hill / Maree Baker-Galloway
Counsel for Glendhu Bay Trustees Limited