

**BEFORE THE HEARINGS PANEL  
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

**IN THE MATTER** of the Resource  
Management  
Act 1991

**AND**

**IN THE MATTER** of Hearing Stream  
14: Wakatipu Basin  
hearing and  
transferred Stage 1  
submissions related  
to Arrowtown and  
Lake Hayes

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**MEMORANDUM OF COUNSEL FOR QUEENSTOWN LAKES DISTRICT  
COUNCIL SEEKING LEAVE TO FILE SUPPLEMENTARY EVIDENCE OF  
MARCUS LANGMAN AND BRIDGET GILBERT'S EVIDENCE**

**HEARING STREAM 14 – WAKATIPU BASIN**

**Primary submitters:**  
Spruce Grove Trust (2513)  
Boxer Hill Trust (2386)  
Banco Trustees (2400)  
Trojan Helmet (2387)

**1 June 2018**

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**MAY IT PLEASE THE PANEL:**

1. This memorandum is filed on behalf of the Queenstown Lakes District Council (**Council**). The purpose of this memorandum is to:
  - (a) seek leave to file two lots of supplementary evidence for Mr Marcus Langman and Ms Bridget Gilbert; and
  - (b) request that the timeframes for submitter and rebuttal evidence (in relation to specific topics only) be extended in relation to those submissions.

**SPRUCE GROVE TRUST (2513) (FS2773)**

**BOXER HILL TRUST (2386) (FS2769) AND BANCO TRUSTEES (2400) (FS2795, FS2796)**

2. Following the filing of evidence for the Council on 28 and 30 May 2018, three submitters (2214, 2386 and 2400) have advised Council that the submissions they have lodged on the Wakatipu Basin variation have not been evaluated in Council's evidence in chief. Council officers have confirmed that this was not intentional and the submissions were inadvertently not evaluated by Council witnesses given the extensive number of submissions that required their attention.
3. Council has therefore prepared planning and landscape evidence in relation to the Spruce Grove Trust submission.
4. Council has also prepared planning evidence in relation to the Boxer Hill Trust and Banco Trustees' submissions (the latter submission covers a portion of the Boxer Hill Trust land). The Council will not be filing landscape evidence in relation to these two rezoning submissions (Council recognises that a landscape assessment report was lodged alongside the Boxer Hill Trust submission).
5. In relation to transport, three waters infrastructure and ecology, no site specific reports were provided with any of the three primary submissions. Further intensification in the basin was generally opposed in the transport planning evidence of Mr Smith for the Council. In relation to infrastructure, no indication has been given as to how the sites subject to the three submissions will be

served for water, wastewater and stormwater. Council's position is that submitters will need to demonstrate as part of its evidence how this is to occur, and the Council will be able to respond in rebuttal, if necessary.

6. The Council's planning and landscape evidence is filed alongside this memorandum, and given current time pressures, the submitters or agents for service are also being served with the evidence directly. Council respectfully seeks that the evidence provided with this memorandum be accepted by the Panel, and that the listed submitters (and further submitters listed above) be given an extension to the filing of their planning and landscape evidence, as follows:

Event	Current timetabling	Proposed date
Spruce Grove Trust (2214) Boxer Hill Trust (2386) and Banco Trustees (2400)		
Submitter (including further submitters) evidence	Monday, 11 June 2018	4pm, Wednesday, 13 June 2018
Rebuttal evidence (for all)	Wednesday, 27 June	4pm, Friday, 29 June 2018

7. Counsel notes that this revised date will ensure that rebuttal evidence is with the Panel, before it undertakes its site visits in the week of 2 July 2018.

#### **TROJAN HELMET (2387) (FS2701, FS2716, FS2733, FS2769)**

8. On 30 June 2018 counsel for Trojan Helmet Ms Rebecca Wolt brought to the attention of Council, a decision by the Chair of the Panel to approve a waiver of time to amend Submission 2387, which in effect provided a complete Landscape and Visual Effects Assessment, by Boffa Miskell.<sup>1</sup>
9. Unfortunately this decision of the Chair has not flowed through to the submissions database and the Boffa Miskell Assessment has therefore not been made available to Council's landscape expert during the preparation of evidence in chief. As the Chair's decision observes, "Lodgement with the submission will enable the Council and any other persons interested to consider this material earlier in the hearing process". Unfortunately this has

1 <https://www.qldc.govt.nz/assets/Uploads/Fourth-Decision-on-Late-Amended-Submissions-13.04.18.pdf>

not transpired and this was provided to Ms Gilbert earlier this afternoon. Counsel has liaised with counsel for Trojan Helmet, and agreed that it would be appropriate for Council's landscape expert to be given adequate time to properly review and respond to the Boffa Miskell Assessment. Mr Langman will also need to file updated planning evidence to reflect the Boffa Miskell Assessment and take into account Ms Gilbert's updated evidence.

10. In light of the late filing of supplementary evidence outlined above, the Council respectfully requests that the timetabling for this submission (and for further submitters listed above) be amended as set out in the following table:

<b>Event</b>	<b>Current timetabling</b>	<b>Proposed date</b>
Trojan Helmet (2387)		
Council – replacement planning and landscape evidence	n/a	4pm, Wednesday 6 June 2018
Submitter (including further submitters) evidence - planning, landscape and master planning evidence <sup>2</sup>	Monday, 11 June 2018	4pm, Monday, 18 June 2018
Rebuttal evidence - all	Wednesday, 27 June	4pm, Wednesday, 4 July 2018

11. Council respectfully requests that other evidence for the submitter (ie. transport, infrastructure, ecology and any other topics that they choose to file), continue to be lodged under the current timetable.

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2 Council notes that the submitter has advised that they will be filing master planning evidence, and in Council's view it would be logical to allow an extension for this evidence as well.

12. It is appreciated that this timetabling will mean that rebuttal is not filed until the Wednesday of the Panel's week of site visits. Council respectfully suggests that the site visit for the Trojan Helment submission, take place in the latter half of that week.

**DATED** this 1<sup>st</sup> day of June 2018



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S J Scott / C J McCallum  
Counsel for Queenstown Lakes District Council