

IN THE MATTER of the Resource Management Act 1991

PRIVATE PLAN CHANGE 51: Peninsula Bay North.

DIRECTIONS OF THE HEARING PANEL OF COMMISSIONERS

1. The Queenstown Lakes District Council (the Council) has appointed Independent Hearing Commissioners David Mead and Andrew Henderson, and Councillor Mel Gazzard pursuant to section 34A of the Resource Management Act 1991 (RMA), to hear and determine Private Plan Change 51 Peninsula Bay North by Peninsula Bay Joint Investments Limited.
2. Further Submissions to the Private Plan Change closed on 4 April 2016.
3. The hearing is scheduled to commence on **Monday 8 August 2016**.
4. The Commissioners have considered whether any directions are appropriate under section 41B and section 42A of the RMA. Section 41B provides that the Council may direct that briefs of evidence from the plan change proponent ("the applicant") and expert evidence called by submitters be provided to the Council before the hearing. Section 42A provides that the Council may require a report on the matters to be considered be provided prior to the hearing.
5. The Commissioners are aware that a section 42A RMA report is currently under preparation by the Council.
6. The Commissioners understand that the applicant will be presenting expert evidence of a technical nature which the Commissioners wish to be able to peruse prior to the hearing. It will also be useful to the other parties to the proceedings to do so. Submitters may also wish to present expert evidence.
7. Accordingly, the Commissioners direct as follows:
 - (a) Pursuant to section 42A RMA, that the section 42A RMA report be circulated by the Council to the parties by 5pm on **Friday 22 July 2016**.
 - (b) Pursuant to section 41B (1) and (2) RMA, that the applicant provides a written brief of all its expert evidence to the Council by 5pm on **Friday 29 July 2015**.
 - (c) Pursuant to section 41B(3) and (4) RMA, that if any person who has made a submission intends to call expert evidence at the hearing then that party is to provide a written brief of that evidence to the Council by 12 noon **Friday 5 August 2016**.
 - (d) As soon as possible after receipt of any such evidence received pursuant to the above Directions, that the Council places the evidence on Council's website.

(e) Pursuant to section 41C(1) RMA, that in respect of evidence pre-circulated in accordance with these Directions, the hearing will be conducted in the following manner:

- The party that has provided the pre-circulated evidence is to call the witness in person;
- The witness should be introduced and asked to confirm his or her qualifications and experience and to confirm the matters of fact and opinion contained in the brief of evidence;
- The witness will then be asked to draw to the attention of the Commissioners, the key points in the evidence. In this respect the expectation of the Commissioners is that the witness will be able to speak to the evidence or a written summary. The Commissioners may require certain evidence to be read where it is considered important to the proceedings; and
- The witness may then be questioned by the Commissioners.

The purpose of these Directions from the Commissioners is to provide the opportunity for them, and for the parties, to consider particularly the technical evidence in advance of the hearing to assist all parties in understanding that evidence. The Directions do not apply to evidence to be presented by submitters who are “non-experts”, or persons who do not provide expert evidence at these types of proceedings. They will have the opportunity to present written or oral evidence at the hearing in the normal manner.

Any enquiries regarding these Directions or related matters should also be directed to Julia Chalmers: Julia.chalmers@qldc.govt.nz

D MEAD
for the Hearing Commissioners
6 June 2016