

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Stage 3 of the
Queenstown Lakes
Proposed District Plan

MINUTE 44 – WALTER PEAK PROCEDURAL ISSUES

1. In Minute 43, I fixed a timetable for the hearing of submission #31024 (Wayfare Group Limited) and further submission #31050 (Airbnb) as they relate to zoning issues at Walter Peak.
2. Following those directions:
 - (i) Airbnb has advised that it does not intend to call evidence or to appear at the hearing;
 - (ii) Wayfare Group Limited has lodged particularised relief, with a supporting Section 32AA analysis;
 - (iii) The Council has provided its Section 42A Report and supporting evidence.
3. Minor procedural issues arise. Wayfare Group Ltd was one day late filing its particularised relief, as above, and the Council was a few hours late filing its Section 42A Report. No prejudice arises in either case and, accordingly, I waive the technical non-compliance with my directions.
4. Accompanying this Minute is a Notice of Hearing confirming that the hearing will proceed on 21 April, with 22 April as a reserve date.
5. Preliminary advice from the Council is that it expects to take in the order of 3 hours to present its case. On that basis, I envisage that after addressing any initial procedural points on 21 April, the morning will be devoted to the Council case. The hearing will break following completion of the Council case and we will hear from Wayfare Group Limited after lunch.
6. My plan is to endeavour to complete the hearing on 21 April if at all possible. If the Wayfare Group case is close to a conclusion at 5 o'clock, it and the Council team

should anticipate that we will sit late in order to complete the hearing that day. The reserve day remains available, if necessary.

7. I note that while Airbnb has advised it does not wish to be heard, it has the right to change its mind. If that should transpire, Airbnb is requested to advise the Hearing Administrator accordingly, so it can be scheduled in. If we hear nothing further from Airbnb, we will proceed on the basis that its position has not changed (and its counsel need not feel under any obligation to confirm that).
8. Also as foreshadowed in Minute 43, we have made arrangements to undertake a site visit on the afternoon of 20 April. If either the Council team or Wayfare Group have anything in particular that they think we should look at while at Walter Peak, they are requested to communicate that to the Hearing Administrator.
9. I note that the Hearing Panel will be accompanied by Mr Richard Kemp, consultant planner, who will be assisting the Panel to ensure that we understand where the relevant lines drawn on the competing planning maps sit on the ground (or water, as applicable). Mr Kemp will be in touch with counsel for Wayfare Group to discuss arrangements for the site visit. The size of the Walter Peak site means that it would be more efficient if Wayfare Group were able to supply a vehicle for at least part of our visit to the site. Mr Kemp will discuss that with counsel.
10. I note that while the Panel would prefer to find its own way around the site, if Wayfare Group feels it needs to provide a guide, we can manage that. If possible, any guide should not be someone who is giving evidence before us.
11. Minute 43 did not address the timing of the Council reply. The Hearing Panel has made arrangements to deliberate on 7 May. That will require the Council to file its written reply not later than 3 May. If that poses a problem for the Council team, we can address that at the hearing.

Dated 17 March 2021



**Trevor Robinson
Chair
Stage 3 Hearing Panel**