

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 9: Resort
Zones

MINUTE REGARDING REQUEST TO BE HEARD EARLY

1. The Hearing Panel has today received a memorandum from counsel for Millbrook Country Club Limited (“Millbrook”, Submitter 696) requesting that the submitter’s case be heard commencing at 3pm on 14 February 2017. The reason given is that one of Millbrook’s witnesses is not available after 14 February.
2. On 16 January 2017 I issued a minute responding to a previous request by counsel for Millbrook. That request (made by way of memorandum dated 23 December 2016) was that Millbrook’s case not be heard until 15 February 2017 at the earliest, as one of Millbrook’s expert witnesses had prior hearing commitments on 13 and 14 February. I recommended to the support staff that this request be accommodated.
3. Counsel does not indicate whether he is referring to the same witness in each memorandum, or different witnesses. If he is referring to different witnesses, then clearly the two requests cannot be reconciled.
4. Due to unforeseen circumstances the Hearing Panel is unable to sit on 13 February 2017 as originally intended. In moving the commencement date to 14 February, we took into account the fact that Millbrook would prefer to be heard later in the week.
5. On a district plan hearing it is appropriate for the Council to present its case first. In part this allows the Council the opportunity to recommend amendments that may satisfy submissions. It is important that we hear the Council’s case first, including questioning Council witnesses, so we can understand what areas are in contention before moving on to hear submitters. If we were to allow Millbrook’s 20 January request, we would be deprived of that opportunity, as the Millbrook case would need to be inserted into the midst of the Council’s case.

6. While we do attempt to accommodate requests for preferred hearing times as much as possible, it would be too disruptive to our hearing process to accommodate this latest request from Millbrook. I therefore refuse the request.
7. If it is physically impossible for the witness to attend, counsel can request that we provide any questions we have of that witness in writing. Such a request could accompany the evidence when it is lodged. If granted, we would expect answers to any questions to be lodged with the administration staff before the hearing adjourned on 17 February 2017 (presuming sitting on the Friday is required).

For the Hearing Panel

A handwritten signature in blue ink, appearing to read "Nugent", written in a cursive style.

Denis Nugent (Chair)

20 January 2017