

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

Under the **RESOURCE MANAGEMENT ACT 1991**
In the matter **OF A PRIVATE PLAN CHANGE TO THE QUEENSTOWN
LAKES PROPOSED DISTRICT PLAN: PROPOSED PLAN
CHANGE 1 THE HILLS RESORT ZONE**

**MEMORANDUM OF COUNSEL TO THE HEARINGS PANEL ON BEHALF OF
QUEENSTOWN LAKES DISTRICT COUNCIL**

Dated: 13 March 2026

BUDDLE FINDLAY

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MAY IT PLEASE THE HEARINGS PANEL

1. This memorandum is filed on behalf of Queenstown Lakes District Council (**Council**), in respect to Minute 2 of the Hearings Panel (**Panel**), dated 6 March 2026.
2. Counsel notes that it only became aware of Minute 2 of the Panel yesterday and apologise for the delay in this response.

Section 32 and 32AA Evaluations

3. At paragraph 4 of Minute 2, the Panel states:

We thank the Council for its evidence. However, this did not include the s.32 evaluation supporting the evidence which we would normally expect to be included as part of the Council's s.42A report. As a result, we direct that the Council provides us with the full copy of the section 32 evaluation by the 12.00 noon 13 March 2026 forming part of a single s.42A report with the Council's planning evidence. This will be circuited to all the parties on the same day.

4. By way of background, as required by cl22(1) of Part 2 of Schedule 1 of the Resource Management Act 1991 (**RMA**), the proponent provided a s32 evaluation report at lodgement in October 2024, undertaken by Brown & Co. That report was updated in May 2025, which is the version that was subject to notification, and which is considered by Mr Barr and the Council in preparing the s42A reporting. Counsel have inferred that the Panel is seeking additional s32AA evaluation on the changes to provisions recommended by Mr Barr.
5. In his s42A report / statement of evidence, Mr Barr summarised the conclusions of the proponent's s32 evaluation and provided his overview comments in respect of those conclusions.¹
6. Mr Barr recognised that the further amendments he recommended in the s42A Report are subject to a further evaluation under s32AA of the RMA and addressed the requirements under s32AA relative to the scale and significance of the changes.

¹ Section 42A Report / Statement of Evidence of Craig Brown (**s42A Report**), dated 13 February 2026, at [6.1] – [6.4].

7. Throughout the s42A report Mr Barr provided a brief analysis of the requirements of s32AA in relation to the further modifications he recommended and concluded the assessment fulfils the requirements of s32AA.² To assist the Panel and the other parties, counsel will ask Mr Barr to consider expanding on his s32AA analysis. However, Mr Barr is currently on leave, returning on Monday 16 March 2026.
8. On that basis, we respectfully request that the Panel amends the proposed timeframe to allow Mr Barr until 18 March 2026 to provide that analysis. Counsel submit that this will not prejudice any party to the proceedings.

Directions sought

9. Counsel respectfully requests that the timetable directions of the Panel in Minute 2 be varied to reflect the proposed 18 March 2026 date for Council (through Mr Barr) to provide an updated s32AA analysis.

Dated: 13 March 2026



T J Ryan / M J Dicken
Counsel for Queenstown Lakes
District Council

² Section 42A Report, at [16.2].