

**QUEENSTOWN LAKES DISTRICT COUNCIL – PROPOSED DISTRICT PLAN
UPPER CLUTHA LANDSCAPE SCHEDULES VARIATION**

**MINUTE 7 OF THE COMMISSION
EXPERT CONFERENCING DIRECTIONS**

3 JULY 2026

Introduction

1. The Queenstown Lakes District Council (the Council) has appointed a Hearing Panel, which comprises Commissioners Peter Kensington, Richard Blakey and Quentin Smith (the Hearing Panel / Commission), to hear all submissions and, after it has heard the submissions, to make recommendations on the Variation to the Proposed District Plan: Upper Clutha Landscape Schedules, as to whether to accept or reject the submissions received and any amendments to the provisions of the Schedules. The Council is then required to decide whether to accept or reject the Hearing Panel's recommendations.
2. In facilitating the hearing process, the Council has passed delegated authority to the Hearing Panel to make determinations regarding any procedural matters that arise.

Memorandum on behalf of the Council dated 1 July 2026

3. In accordance with paragraph [7.8] of our Minute 4, counsel for the Council has sought directions from the Hearing Panel regarding facilitated expert witness conferencing. The Council's memorandum, dated 1 July 2026, helpfully provides a recommended and agreed approach, with an indicative schedule and agenda, for this process to occur (Schedule 1 to the Council's memorandum).

Email from Julian Hawthorn dated 2 July 2026

4. In response to the Council's 1 July 2026 memorandum above, on 2 July 2026 Julian Hawthorn emailed the Council setting out two concerns with the proposed expert witness conferencing agenda, being:

"Topic 1 proposes to discuss a number of issues in relation to the "appropriateness" of the Upper Clutha Landscape Schedules (UCLS). In my submission all of these Topic 1 issues are legal issues that have already been settled by the Court in its decisions in relation to the Priority Area Landscape Schedules (PALS). These issues are out of scope for conferencing.

Topic 2 and Topic 3 propose conferencing on the wording of the UCLS. Discussion between landscape experts on this wording is entirely appropriate and may well have some utility. However, I can see no reason for planning experts to be involved in these discussions. All planning matters in relation to landscape schedules have already been settled by the Court in its PALS decisions."

Response and directions

5. We thank counsel for proactively organising the expert witnesses and Mr Ken Fletcher as independent facilitator at short notice. We also thank the submitters that have engaged expert witnesses for their cooperation with this process, as the outcome of expert witness conferencing will ultimately assist our decision-making.

6. We have considered the concerns raised by Mr Hawthorn and have resolved that the issues on the proposed agenda under Topic 1 are to remain for expert witness conferencing. We note that these are relevant issues raised in expert evidence and matters of agreement and disagreement on these issues from the experts will assist our decision making. We also note that submitters will have an opportunity to address these issues further via submissions in due course. We also confirm our comfort that the expert witness conferencing proceed jointly between the landscape and planning witnesses, as per the proposed agenda, as this will result in an efficient and logical process for all involved.
7. We therefore direct that:
 - (a) Expert witness conferencing is to occur on the dates and as outlined in the agenda at Schedule 1 of the Council's memorandum dated 1 July 2026; and
 - (b) Mr Ken Fletcher be appointed to facilitate the expert witness conferencing, in accordance with paragraphs [7.14-7.15] of our Minute 4 and produce a report with joint witness statement(s).
8. Should any party have any queries in relation to this Minute or require any clarification in relation to the process for this hearing, please contact the Hearings Administrator by email at dp.hearings@qldc.govt.nz.



Peter Kensington

For the Commission

3 July 2026