

IN THE MATTER

of the Resource
Management Act 1991

AND

IN THE MATTER

of Stage 3 of the
Queenstown Lakes
Proposed District Plan

MINUTE 20 – WAIVER OF EVIDENCE DEADLINE (4)

Introduction

1. In Minute 15, I waived late lodgement of the evidence for Corbridge Estates Limited Partnership (“Corbridge”), whose evidence was prepared in time, but due to an IT problem was not received until 2 June.
2. In Minute 16, I granted the Council an extension of time to respond to the submitter’s planning evidence for the reasons stated therein.
3. I have now received an application by Ms Brook, on behalf of Queenstown Airport Corporation (“QAC”), seeking extra time for QAC’s rebuttal evidence, responding to Corbridge’s evidence in chief. Ms Brook explains that because the submitter’s evidence was received late and loaded on the website after other submitters evidence, it was not picked up in QAC’s initial review of evidence, and only discovered subsequently. She seeks the same time period as that which I granted to the Council, namely 1pm 19 June.
4. Subsequently, Ms Justice as asked for an extension for filing rebuttal evidence for Greenvale Station Ltd in respect of the evidence for Kingston Lifestyle Properties Ltd on a similar basis. Ms Justice advises that she checked the website on 29 May, and on the following few days, but only discovered the evidence on the website on 11 June. She asks for an extension to 5pm on 15 June.

Discussion

5. Late lodgement of Corbridge’s evidence in chief, while inadvertent, has had flow on effects as above. To avoid prejudice to QAC, I grant leave to file its rebuttal evidence on or before 1pm on 19 June.

6. Late receipt of QAC's rebuttal will not prejudice Corbridge as it will have several weeks before it is heard.
7. The position is less clear for Greenvale Station Ltd. The hearing administrator has confirmed that the Kingston Lifestyle Properties evidence was filed mid afternoon on 29 May. It was therefore covered by the general waiver I granted in Minute 16. Relevantly, evidence in that category was loaded on the website that evening or the following morning. It appears that Ms Justice may have overlooked it.
8. Nevertheless, human error is a valid ground for application, particularly where there is no prejudice to any other party. I find that to be the case, for the same reasons as for QAC.
9. I therefore give leave for Greenvale Station Ltd's rebuttal of the evidence for Kingston Lifestyle Properties Ltd to be filed by 5pm on 15 June.

Dated 12 June 2020



**Trevor Robinson
Chair
Stage 3 Hearing Panel**