

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**UNDER** the Resource Management Act 1991

**IN THE MATTER** A variation to the QLDC Proposed  
District Plan – Urban intensification

**BETWEEN** **FRIENDS OF ARROWTOWN VILLAGE**

Various Submitters

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**MEMORANDUM OF COUNSEL SEEKING CLARIFICATION TO MINUTE 1**

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## **MAY IT PLEASE THE PANEL**

### **Background**

- [1] Counsel is acting on behalf of a number of submitters interested in the Variation insofar as it relates to Arrowtown. The total number of those submitters and their details is yet to be finalised (however is in excess of 50 submitters at least). The group is working together and will present under the name 'Friends of Arrowtown Village' (**The Friends**).<sup>1</sup>
- [2] The Friends intend to present at the hearing with both lay and expert witnesses, as well as legal counsel. The presentation of this consortium group will ensure a collaborative, efficient, and effective combined representation for a number of submitters with Arrowtown-specific interests.
- [3] This memorandum is to bring attention to the commissioners that there appears to be some confusion in the interpretation of Minute 1 in respect of lay evidence vs written material to be presented at the hearing.

### **Lay evidence vs written material**

- [4] Counsel notes that, with reference to Minute 1, lay evidence is to be tabled in advance of the hearing and on the same day as expert evidence. An explanation of lay evidence is also provided at paragraph 7. Paragraphs 13 and 14 however state that material provided in support of any oral presentation (of less than 10 pages) to the hearings panel must be lodged the day prior to any such appearance.
- [5] Counsel wishes to bring to the attention of the Hearings Panel, that many submitters intending to speak to their submissions are confused as to whether their presentations would be lay evidence or otherwise written materials. Counsel has also found difficulty in explaining the nuances of this difference, particularly as many submitters have a range of expertise in relation to issues traversed in the Variation.

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<sup>1</sup> Counsel has reserved hearing time on Friday 1<sup>st</sup> August under the submitter name 'Mark Hosie' however this will be amended to record the final names of all submitters part of the Friends of Arrowtown Village'.

- [6] Respectfully, it is also observed by Counsel that it is common practice for Council plan change processes to direct lay evidence to be provided sequentially after expert evidence, or only shortly in advance of appearing at the hearing<sup>2</sup>.

### Directions

- [7] Counsel therefore respectfully suggests that it may assist in providing clarity to submitters if the Hearings Panel would issue the following directions (or similar):

- (a) Lay evidence or written presentations by a submitter are to be provided electronically to the Hearing Administrator by **12noon of the day prior** to the submitter (or lay witness) presenting at the hearing.

Or in the alternative:

- (b) The Hearings Panel will provide further clarity and associated directions for submitters to understand the difference between lay evidence and written presentations in support of a submission, and a sequential date for filing of lay evidence after expert evidence.

**Dated 4 June 2025**



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G M Todd / R E M Hill  
Counsel for the Friends of Arrowtown Village

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<sup>2</sup> For example, this sequencing occurred in the QLDC PDP landscape schedules priority area variation.