

**BEFORE INDEPENDENT COMMISSIONERS
APPOINTED BY CENTRAL OTAGO DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act
1991

AND IN THE MATTER of a Requested change to the
Central Otago District Council's
Operative District Plan – Plan
Change 13 ("PC13")

REQUESTOR **RIVER TERRACES DEVELOPMENTS
LIMITED**

JOINT MEMORANDUM OF COUNSEL ON TIMETABLING

Dated 17 June 2019

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MAY IT PLEASE THE COMMISSION:

1. This Memorandum is filed in response to the Commission's Procedural Decision delivered orally on Friday 14 June 2019.
2. It is prepared by counsel for the Requestor, Highlands Motorsport Park, Central Speedway Club Cromwell Inc, Central Otago District Council and Greg Wilkinson, McKay Family Trust and 45 South and Residents for Responsible Development Cromwell Society Incorporated.
3. Mr Gardner-Hopkins has completed his involvement in the hearing, unless some other procedural or other matter arises that requires a response on behalf of his client. Mr Gardner-Hopkins notes that some of the community submitters remaining to present are associated with the Residents for Responsible Development Cromwell Society Incorporated. They will identify themselves as appropriate, but will not be called or otherwise assisted by counsel.
4. The timetable outlined below is based on a reconvened hearing in Cromwell in the period 2-5 July 2019. As submitters other than those referred to in paragraph 2 above have not seen this draft or had any input into it, they will need to be contacted by the Council's Hearing Secretary to ascertain their availability for the reconvened hearing. We have tentatively listed these submitters in italics in the timetable below.
5. The Hearing Secretary may be aware of other submitters yet to be heard. Some counsel are aware of submitters who did indicate a wish to be heard but have not been contacted about a speaking time. We respectfully suggest submitters be contacted to be sure all of those still wishing to be heard will be scheduled into the timetable for the reconvened hearing.

Evidence Timetable

6. We propose the following Evidence Timetable:
 - a. Evidence of Marilyn Brown (for Central Otago District Council) addressing the Council's Spatial Plan to be lodged and served on the parties to this Memorandum by **4.00pm Friday 21 June 2019**.
 - b. Evidence of Jeff Brown (for Requestor) addressing the amended plan provisions and updated section 32 assessment to be lodged and served on the parties to this Memorandum by **4.00pm Friday 21 June 2019**.

- c. Evidence from the Requestor responding to the Evidence of Marilyn Brown referred to subparagraph 5(a) above to be lodged and served on the parties to this memorandum by **4.00pm Friday 28 June 2019**.
 - d. Evidence from planners for any party responding to the Evidence of Jeff Brown referred to in subparagraph 5(b) above to be lodged with the Council and served on the parties to this Memorandum by **4.00pm Friday 28 June 2019**.
7. This timetable specifies the time for lodgement and service of evidence on the parties to his memorandum. In the interests of natural justice, the evidence should also be uploaded to the Council's PC13 website by 5.00pm the same day, and all submitters duly notified of that uploading, so that no party is unduly prejudiced by having not received the evidence in a timely manner.

Hearing Timetable

8. We propose the following Hearing Timetable for the week of 2-5 July 2019:

Tuesday 2 July 2019: *Horticulture NZ* (3 witnesses)

McKay Family Trust and 45 South (2 July is preferred date for this party - legal submissions and witnesses – estimate of time 1.25-1.5 hours)

Suncrest

Weaver Horticulture (1 witness)

Public Health South (Megan Justice)

Central Otago District Council (legal submissions and two witnesses - estimate of time half a day)

Wednesday 3 July 2019: Central Otago District Council contd.

David Mead and Kate Scott (Highlands and others) – (these two witnesses are only available 3 and 4 July - estimate of time 1 hour)

Thursday 4 July 2019: Requestor's evidence responding to Spatial Plan

Friday 5 July 2019 Comments from author of Section 42A Report.

Hearing adjourned by 1.00pm.

Requestor to lodge closing submissions in writing.

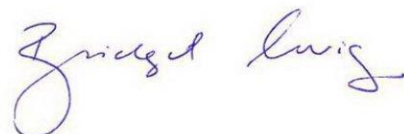
9. As noted above, other submitters will also need to be scheduled into this timetable.
10. The above Hearing Timetable is based on a hearing day of 9.00am to 5.00pm with the usual allowances for morning tea, lunch and afternoon tea. Should the Commission wish to start at 8.30am, that is agreeable, but we note that as it will be mid-winter, there is a strong possibility of morning ice on the roads, affecting those parties travelling to the hearing from out of Cromwell. The 9.00am start time is therefore preferred.
11. Counsel request that a Minute be issued as soon as possible confirming the Commission's directions in response to this Memorandum.

Dated 17 June 2019

Warwick Goldsmith, counsel for the Requestor



Jan Caunter, counsel for Central Otago District Council



Bridget Irving, counsel for Highlands Motorsport Park and Central Speedway Club
Cromwell Inc

Alastair Logan, counsel for McKay Family Trust and 45 South

James Gardner-Hopkins, counsel for Residents for Responsible Development
Cromwell Society Incorporated