

**CENTRAL OTAGO DISTRICT COUNCIL**

**TKO PROPERTIES – RC230179**

**MINUTE 2 OF THE HEARING PANEL**

**Introduction**

1. The Panel has received a Memorandum of Counsel from the Applicant, in response to our request for advice on the issue of scope. This is attached for the information of submitters.

**Applicant's response on scope issue**

2. The Memorandum addresses the relevant legal authorities for consideration of scope. It also confirmed that the small parcel of land from the Bendigo Station Developments Limited property, that had been added into the application site following notification, has now been excluded from the application.
3. The Applicant's landscape expert, Mr Baxter, also provided his assessment that the changes to the revised proposal will reduce the overall intensity of the development and will have a reduced landscape effect.
4. Mr Vincent, Council's reporting officer, has advised that he broadly concurs that the changes are within scope.

**Panel's determination**

5. The Panel accepts the advice as to scope. We are satisfied that the changes that have been made are in response to matters raised in submissions, and we consider no party will be prejudiced by us accepting the revised proposal into the process.

**Next steps**

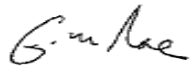
6. Accordingly, arrangements can now be made towards preparing s42A reports, expert evidence, and joint witness conferencing prior to a hearing.
  7. As a first step, we now direct Mr Vincent to prepare a Supplementary s42A Report on the revised proposal, and that Mr Harding also updates his assessment for Council on ecological matters. These reports are to be provided to Ms Lines, for distribution to the parties, by **Friday 27 September 2024**.
  8. In terms of expert witness conferencing on ecological matters, Mr Vincent had advised us that the most efficient approach would be for Mr Harding to first prepare his assessment of the Revised Proposal, and from that the extent and terms for conferencing on any outstanding matters can be clarified. We are also comfortable if Mr Harding liaises with the Applicant's expert as part of his report preparation, if that assists.
  9. On receipt of those reports the Panel will then issue further directions and dates for:
    - any expert witness conferencing;
    - exchange of expert evidence from the Applicant and submitters; and
    - the hearing dates and venue.
-

**Conclusion**

10. If there are any questions arising from this Minute, please direct those in the first instance to Ms Lines.

**DATED** this 11<sup>th</sup> day of September 2024

Signed by

A handwritten signature in black ink, appearing to read "GM Rae". The signature is written in a cursive style with a large initial "G" and "M".

**GM Rae**

**Chair of Hearing Panel**

---