

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

IN THE MATTER OF

The Resource Management Act 1991 (**RMA** or
the Act)

AND

IN THE MATTER OF

Of the Central Otago Operative District Plan
(**CODP**) and Proposed Plan Change 19 to the
Central Otago District Plan (**PC19**)

AND

IN THE MATTER OF

Application to the Central Otago District
Council (**CODC**) by **D. J Jones Family Trust**
and N.R Searell Family Trust for subdivision
and land use resource consent for residential
subdivision and development at 88 Terrace
Street, Bannockburn (**RC230398**)

**MEMORANDUM OF COUNSEL FOR
D. J JONES FAMILY TRUST AND N.R SEARELL FAMILY TRUST REGARDING
PROCEDURAL MATTERS**

Dated: 21 February 2025

Presented for filing by:
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**MEMORANDUM OF COUNSEL FOR
D. J JONES FAMILY TRUST AND N.R SEARELL FAMILY TRUST REGARDING
PROCEDURAL MATTERS**

TO: the Chair of the Hearings Panel

Introduction

- 1 This memorandum is filed on behalf of D. J Jones Family Trust and N.R Searell Family Trust (**Applicant** or **Trust**) in respect of the Trust's application to the Central Otago District Council (**CODC**) for subdivision and land use resource consent for residential subdivision and development at 88 Terrace Street, Bannockburn.
- 2 Counsel refers to the Hearing Schedule issued on 19 February 2025, which sets out the Schedule for the Hearing of the Trust's application to the CODC for subdivision and land use resource consent, on 4-5 March 2025.

Request for Mr Ward to be excused from the hearing

- 3 Counsel respectfully requests that, if the Panel does not have any questions for Mr Ward (Contaminated Land), that Mr Ward is excused from appearing at the hearing on 4-5 March.
- 4 Counsel submit that the evidence prepared by Mr Ward, and the initial assessment undertaken by ENGEO, does not give rise to any contentious issues that ought to be addressed by way of appearance at the hearing.
- 5 Counsel have approached James Gardener-Hopkins (Project Manager for submitter Bannockburn Responsible Development Incorporated (**BRDI**)) for comment on this matter. Mr Gardener-Hopkins has confirmed that BRDI will abide the Panel's decision in respect of this witness.

Summaries of evidence

- 6 In the absence of any specific direction from the Panel, Counsel respectfully requests that each of the witnesses for the Trust attending the Hearing are permitted to file and present summaries of evidence.

- 7 The witnesses for the Trust have produced detailed evidence and Counsel suggests that it would be a more efficient use of the hearing time for the witnesses to present summaries of their evidence.
- 8 This approach would allow each witness for the Applicant to:
- (a) Provide a summary of the witnesses evidence in chief;
 - (b) Provide a response to the evidence filed on behalf of the Bannockburn Responsible Development Incorporation and Ms Pflueger's response to the Visual Simulations; and
 - (c) Ensure that the witnesses are able to answer any questions from the Panel in the time available.

Dated 21 February 2025



Chris Fowler
Counsel for D. J Jones Family Trust and N.R Searell Family Trust