

**BEFORE HEARING COMMISSIONERS  
IN NAPIER | AHURIRI ROHE**

**UNDER THE**

Resource Management Act 1991 ("**Act**")

**IN THE MATTER OF**

An application for subdivision and land use resource consent for residential subdivision and development at 88 Terrace Street, Bannockburn (**RC230398**)

**BETWEEN**

**D. J JONES FAMILY TRUST AND N.R  
SEARELL FAMILY TRUST PARTNERSHIP**

Applicant

**AND**

**THE CENTRAL OTAGO DISTRICT COUNCIL  
(CODC)**

Consent authority

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**PROJECT MANAGER'S MEMORANDUM ON BEHALF OF  
BANNOCKBURN RESPONSIBLE DEVELOPMENT INCORPORATED  
("BRDI")**

**7 February 2025**

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**JGH**

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## Introduction

1. I am the contracted project manager for the submitter, Bannockburn Responsible Development Incorporated ("**BRDI**"). I have a legal background but am not practising as a lawyer. I understand I am entitled to appear as BRDI's representative under s40 of the RMA:

At any hearing ... every person who has made a submission and stated that they wished to be heard at the hearing, may speak (either personally **or through a representative**) and call evidence.

2. BRDI was created as a result of community meetings held in 2021 in response to the initial resource consent application (RC190154) made by the applicant. The primary purpose of the society is captured in the constitution of the BRDI as being: "The responsible, sustainable quality growth and development of Bannockburn and surrounding areas in consultation with the residents of these areas."
3. The purpose of this memorandum is to seek leave (if required) for BRDI to call evidence from an Independent Planner, Mr Werner Murray.
4. The context of this request (if needed) is as follows:

- a. The latest timetabling directions of the Panel are as follows:

- Applicant's simulations and any accompanying material - **10 February**. [No simulations were undertaken originally.]
- Then - Ms Pflüger (for CODC) and Ms Steven (BRDI), any response to the simulations - **21 February 2025**.
- Hearing **4-5 March**.

- b. The hearing having been deferred from its original date of 14 and 15 October 2024.

- c. Expert evidence for submitters, including by Ms Steven for BRDI, having been filed by 7 October 2024.

## Request (if needed)

5. Ordinarily, under s41B, submitter expert evidence is due 5 working days before the hearing:

- (3) The authority may direct a person who has made a submission and who is intending to call expert evidence to provide briefs of the evidence to the authority before the hearing.
- (4) The person must provide the briefs of evidence at least 5 working days before the hearing.

6. Directions were circulated on 20 September accordingly, stating:

Please note any expert evidence must be provided to Council at least 5 working days prior to the hearing. Any expert evidence provided at the hearing may not be accepted by the Hearings Panel. If you are going to be providing any non-evidential material, we will require 10 copies, which you must bring with you to the hearing.

- 7. The Panel also may recall (prior to my involvement) BRDI/Mr Dicey (BRDI's chairperson) raising concerns about the limited notice of hearing given, which impacted on the ability to secure expert evidence.
- 8. Given the deferral in the hearing (for unfortunate and entirely understandable reasons), BRDI has since been able to find, fund, and engage an independent planner to assist it (and the Panel) in the consideration of BRDI's submission.
- 9. The intention is for BRDI to provide Mr Murray's planning evidence on 21 February 2025 at the same time as its landscape expert is to respond to the simulations to soon be provided by the Applicant. This is over 5 working days ahead of the hearing, which is when any submitter evidence would ordinarily be due. (In fact, it would not appear open for a Panel to direct applicant evidence to be provided earlier than 5 working days before a hearing.)
- 10. It is respectfully submitted that there will be no prejudice to the Applicant beyond that which it would ordinarily experience by having submitter expert evidence filed five days before a hearing. The Applicant can address any substantive matters arising at the hearing, in the usual way.
- 11. Directions (if required) are respectfully sought accordingly, to allow for BRDI to provide its planning evidence on 21 February 2025.

**James Gardner-Hopkins**  
**Project Manager for BRDI**  
**7 February 2025**