

Before Queenstown Lakes District Council

In the matter of The Resource Management Act 1991

And The Queenstown Lakes District Proposed District Plan Topic 12
Upper Clutha Mapping

Memorandum of Counsel FOR

Allenby Farms Limited (#502 and #1254)

Dated 06 April 2017

Solicitors:

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**anderson
lloyd.**

MAY IT PLEASE THE PANEL

- 1 This Memorandum of Counsel is presented on behalf of Submitter Allenby Farms Limited (0502) ("Allenby"), requesting a formal waiver of time limits for the lodgement of expert evidence in respect of Topic 12 Upper Clutha Mapping.
- 2 Counsel apologises to the Panel on behalf of the submitter Allenby for the late lodgement of this evidence. This was not anticipated, which is why no Application for Leave for late lodgement was made prior to the deadline of 04 April 2017. However it transpired that the planning witness for Allenby had to complete nine separate briefs of evidence for nine separate cases by the deadline of midday 4 April 2017 which, perhaps unsurprisingly, he could not achieve. Allenby drew the short straw of being the last to be completed.
- 3 Counsel enquired with the DP Hearings administration as to whether they would prefer partial lodgement of evidence by the deadline with subsequent lodgement of the balance, and was advised that the administration would prefer all of the evidence to be lodged at the same time. Therefore, it should be noted that the remaining briefs, including landscape, infrastructure and servicing, landowner, and recreation evidence are all dated 04 April 2017, however have been held back due to completion of the planning evidence.
- 4 Counsel anticipates that Council staff may face similar challenges to lodge all rebuttal evidence by 28 April. Given that the submitter Allenby has been two days late in lodging, and given that the Allenby hearing does not start until Wednesday 31 May, Allenby will have no issue if the Council is similarly late in lodging rebuttal evidence.
- 5 The entire package of evidence for Allenby has been uploaded to the QLDC Share Portal on 06 April 2017. Counsel accordingly respectfully requests a waiver of the time limit for the lodgement of this evidence.

Dated 06 April 2017

A handwritten signature in black ink, appearing to read 'WP Goldsmith', with a small horizontal line at the end.

Warwick Peter Goldsmith/Rosie Hill

Counsel for Allenby Farms Limited