

**BEFORE THE INDEPENDENT HEARINGS PANEL
AT SELWYN DISTRICT COUNCIL**

UNDER	the Resource Management Act 1991
IN THE MATTER	Submissions and further submissions on the proposed Selwyn District Plan
AND	Hughes Development Limited (DPR-0411)

MEMORANDUM OF COUNSEL

28 April 2023

Counsel acting:
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May it please the Commissioner:

1. This memorandum of Counsel is on behalf of Hughes Developments Limited (**HDL**) and in response to the Commissioner's 5th minute, declining directions sought by HDL.
2. HDL accepts that must now proceed with expert conferencing on economic and planning matters on the basis of the economic inputs and methodology disclosed by Mr Foy to date.
3. HDL remains concerned that Mr Foy may not fully appreciate his obligations under the code of conduct for expert witnesses, but appreciates that should issues arise, they can be addressed at the hearing.
4. Given the timing of this process, further expert conferencing and any amendment to the s 42A report remain incomplete such that a hearing date of 15 May is now untenable.
5. A number of HDL's witnesses are now heavily committed to hearing dates for Variation 1 of the SDC PDP. Hearing dates include:

Rolleston: 22-26 May;

Lincoln: 6,7 &8th June

Prebbleton: 13, 14 & 15th June

- with associated timetabling commitments, which suggest that a late June early July date could be practicable.

6. Unfortunately, counsel will be overseas between 8 June and 12 July and, whilst there is reasonable scope for PC74 to be heard in late July or August, the PDP rezoning decisions on submissions (which include an equivalent to PC74) are due to be released in mid-August.

7. PC 74 was commenced before the Council's PDP process and may be overtaken by the August decisions such that PC74 could be deemed surplus to requirements. Whilst acknowledging that appeals may play a part in determining when either regime might become effective, counsel submits that a September date for the potential hearing of PC 74 is a more realistic use of time and resources.
8. Accordingly, counsel respectfully submits that the hearing of PC 74 be now deferred until the week of 4 September 2023.

DATED 28 April 2023



Ian Gordon
Counsel for Hughes Developments Limited