

Before the RPS Hearing Panel

Under the Resource Management Act 1991

In the matter of of submissions on the Proposed Otago Regional Policy Statement 2021 (excluding parts determined to be a freshwater planning instrument)

Memorandum of Counsel on behalf of Wayfare Group Ltd (#0411) and Otago Fish and Game Council (#0321)

22 November 2022

Solicitors:

Maree Baker-Galloway | Rosie Hill
Anderson Lloyd
Level 2, 13 Camp Street, Queenstown 9300
PO Box 201, Queenstown 9348

p + 64 3 450 0700
maree.baker-galloway@al.nz | rosie.hill@al.nz

**anderson
lloyd.**

May it please the Court

- 1 This Memorandum is filed on behalf of Wayfare Group Ltd (#0411) and Otago Fish and Game Council (#0231) (**Submitters**) in relation to the evidence exchange timetable set out in the Hearing Panel's third Minute dated 27 October 2022 (**Minute 3**).
- 2 In accordance with Minute 3, all evidence in chief including expert evidence is to be lodged with Otago Regional Council (**ORC**) by Wednesday 23 November 2022 in order to be made available on ORC's website by Wednesday 30 November 2022.
- 3 However the Submitters' planning expert, Mr Ben Farrell, is currently unwell with COVID-19 and is unable to meet the 23 November 2022 deadline. The Submitters' other witnesses require Mr Farrell to further advance his evidence before they can finalise their own evidence, and require Mr Farrell's advice as part of the team briefing and reviewing the evidence.
- 4 Accordingly, the Submitters respectfully request a three working day extension to the timetable to enable them to finalise evidence (subject to Mr Farrell recovering sufficiently). It is respectfully submitted that there is no prejudice to ORC or the other submitters because this will still allow ORC two days to make the evidence available on its website by the required date of Wednesday 30 November 2022.

Directions sought

- 5 The Submitters respectfully seek the following amended directions:
 - (a) Evidence in chief for Wayfare Group Ltd (#0411) and Otago Fish and Game Council (#0231) including expert evidence is to be provided to ORC by **Monday 28 November 2022**.

Dated this 22nd day of November 2022

Maree Baker-Galloway

Maree Baker-Galloway/Rosie Hill
Counsel for Wayfare Group Ltd (#0411) and Otago Fish and Game Council
(#0321)