

BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA

IN THE MATTER	of the Resource Management Act 1991
AND	of an appeal under clause 14(1) of the First Schedule of the Act
BETWEEN	THE PRESERVATION COALITION TRUST (ENV-2018-CHC-285) Appellant
AND	DUNEDIN CITY COUNCIL Respondent

MINUTE OF THE ENVIRONMENT COURT
Telephone Conference
(14 July 2020)

Introduction

[1] This Minute is released for the purpose of case management and in response to the following:

- (a) City Council's memorandum dated 3 July 2020 addressing landscape overlays and rural residential zoning; and
- (b) Preservation Coalition Trust's (PCT) memorandum dated 6 July 2020 addressing scope of its appeal.

[2] I agree with the City Council that the issue whether the court has scope to consider the relief set out in PCT's appeal should be considered before mediation. As there are a total of nine parties to this appeal, I will set the matter down for a telephone conference on **Friday 24 July 2020 at 10.00 am**. This is instead of a pre-hearing conference as I had earlier indicated.



Tentative hearing dates

[3] Assuming two days is required, the court may hear the issue as to scope on either **24-25 September or 5-6 October 2020.**

Directions

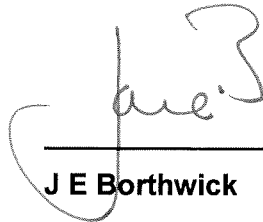
[4] Any party who will abide the court's decision on scope, and on that basis wishes to be excused from attending the conference, is to file notice by **Wednesday 22 July 2020.**

[5] I direct the City Council to confer with the parties and file a reporting memorandum by **Wednesday 22 July 2020** setting out any timetable orders as may be required to expedite the resolution of the scope issue. When reporting the City Council will address:

- (a) the filing of a common bundle of documents attaching (at least):
 - (i) a copy of PCT's original submission on the proposed plan;
 - (ii) any landscape maps attached to that submission;
 - (iii) copies of landscape overlays at a scale that is sufficient to aid the court's understanding of the area potentially impacted by any shift in landscape boundaries; and
 - (iv) the City Council's summary of submissions pursuant to Schedule 1, cl 7 of the RMA;
- (b) confirming whether any party wishes to file evidence by way of affidavit and, if so, identifying the deponent and evidence intended to be produced;
- (c) itemising the issues as to scope to be determined by the court;
- (d) whether submissions are to be pre-circulated;
- (e) identifying the parties preferred hearing dates; and
- (f) any other direction required for the orderly and efficient disposition of the scope issue.



[6] By **Wednesday 22 July 2020**, PCT is to identify the consequential relief it intends pursuing or explain why it is not able to do so ahead of the conference.



J E Borthwick
Environment Judge

Issued: 14 July 2020

