

**BEFORE THE COMMISSION
APPOINTED BY THE DUNEDIN CITY COUNCIL**

UNDER the Resource Management
Act 1991 (RMA)

IN THE MATTER Of an application by Dunedin
City Council for resource
consent being processed with
reference LUC-2020-631

BY **MICHAEL VARSANYI &
ANYA DURLING**
Submitter

JOINT MEMORANDUM OF COUNSEL

DATED 4 JULY 2022



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JOINT MEMORANDUM OF COUNSEL

1. Counsel refer to the previous memorandums and subsequent directions.
2. Since the adjournment of the hearing the submitter and the Department of Conservation have been in discussions to resolve substantive matters related to the track realignment works.
3. Those parties can report that agreement has been reached and resolved by way of a side agreement between the parties directly. This means that the question regarding the application of section 4(3) is no longer contested, and the parties are agreed that the works can be completed pursuant to that provision. On this basis the parties no longer consider that it is necessary for the Commission to determine this matter in an interim decision.
4. Discussions have also been taking place with the Dunedin City Council regarding the carpark component of the application which are proceeding well, with agreement on conditions looking likely.
5. On this basis it is requested that the hearing remain adjourned until Monday 11 June 2022 at which time parties will report further including:
 - a. Advice on whether agreement regarding carpark conditions has been reached;
 - b. If agreement has been achieved, circulating agreed conditions; and
 - c. suggesting further procedural steps including time for any further feedback from the Section 42A officer and Applicants right of reply.

Date: 4 July 2022

B Irving

A handwritten signature in blue ink, appearing to read "Bridget Irving". The signature is written in a cursive style with a large initial 'B'.

Solicitor for Submitters

A handwritten signature in blue ink, appearing to read "S Eccles". The signature is written in a cursive style with a large initial 'S'.

S Eccles

On behalf of the Applicant