

21 October 2022

Tēnā koe Commissioners,

### ARTHURS POINT REHEARING OF SUBMISSIONS

I have read the memorandum and replies received with regards to the Aurthur's Point rehearing of submissions. I note this is a rehearing of 2 submissions, with 80 further submissions received. This is considered a minor process in relation to earlier Stages of the Proposed District Plan.

I consider that the timeframes promoted by the Council are fair; and are in excess of the minimum requirements under the Act.

The minimum requirements are as follows:

- The minimum time required for notice of the hearing is **at least 10 working days** (Clause 8B of Schedule 1 RMA)
  - Formal Notice was given on 5 October, just under 7 weeks before the hearing
  - Also, all submitters were also sent an email on 30 August with advance warning of the hearing date.
- The minimum timeframe for a s 42A report (and consequentially any supporting evidence) to be provided to the submitters is **at least 15 working days**, if the authority gives a direction under s 41B, which it has done. (s 42A(3))
  - The s42A report was made available on Tuesday 18 October, so 5 weeks before the hearing.
- The minimum timeframes for briefs of evidence for submitters to be provided is **at least 5 working days** before the hearing. (s 41B)
  - Submitter evidence is due on 1 November, so 3 weeks before the hearing.
- There is no specific requirement for s42A rebuttal evidence in the RMA (s41B does not specifically apply)
  - S42A rebuttal is due on 15 November, so 5 working days before the hearing.

My position is that as much as possible the hearing should be run without undue formality to enable the further submitters to full participate without the need to engage professional assistance unless they choose to (I note only experts can engage in witness conferencing). For this reason, I do not believe that expert conferencing is necessary. The Council has engaged experienced commissioners

to hear the submissions and further submissions on this discrete subject and I believe they have the skill to facilitate all involved in their decision-making process.

I acknowledge that the amendments and further information provided by the submitters has caused surprise to the further submitters. The 1<sup>st</sup> schedule process provides for information or amendments to be provided for during evidence (as long as it is within the scope of the original submission). The submitter provided their proposed amendments and structure plan well in advance of evidence dates in the form of the memorandum. Even though the Council could not address the proposal in the Section 42a report the information has been made available for all participants in the process. Council will address it in their rebuttal and are comfortable in doing so.

If the commissioners were of a mind to consider delaying the timetable and hearing, I propose the following:

Hearing commencing 1 February 2023 for 3 days

Submitter evidence due: 15 November 2022

Further submitters evidence due: 6 December 2022

QLDC rebuttal due: 20 December 2022

This allows for the January period to be free from evidence timeframes.

Yours sincerely, Nāku noa nā



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Queenstown lakes District Council