

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of hearing submissions and further
submissions on the
Proposed Waikato District
Plan

AND

IN THE MATTER of a request for an extension of
time associated with Hearing 25 -
Zone Extents

MINUTE FROM HEARING COMMISSIONERS

19 February 2021

1. On 18 February 2021, the Hearings Panel received a Memorandum from Ms Louise Feathers, a planning consultant acting for Andrew Wilson, seeking approval to lodge late evidence for Hearing 20 Maaori Sites and Areas of Significance.
2. The evidence for this hearing was due on 13 July 2020, and the hearing was held on 3 August 2020. We understand Council reminded all submitters involved in Hearing 20 on 6 July 2020 via email that they must let Council know if they wish to be heard and that evidence was due on 13 July 2020. We also note that Mr Wilson took the opportunity to attend the hearing and spoke to us, although he did not submit evidence.
3. We are somewhat confused as to why he did not lodge evidence either on 13 July 2020, and/or present that evidence to us when he attended the hearing?
4. The process that occurred after the hearing was focused on sites where a submission was made by a party other than the landowner, and it was possible that the landowner was unaware of that submission.
5. We directed Council staff to write to each of the landowners affected by this situation to:
 - i. Inform them that a submission on the proposed plan has stated that their land contains a Maaori Site or Area of Significance (as the case may be), and have requested that this be identified as such in the Waikato District Plan;
 - ii. Provide sufficient detail about the relevant Maaori Site or Area of Significance so that the landowner can understand what has been requested, why it has been requested and what consequences it would have for their use of that land; and
 - iii. Advise the landowner that the Panel wishes to obtain their views before making any decision on whether or not to accept the submission and/or further submission; and

- iv. Invite the landowner to provide a written statement setting out their views.
6. This situation clearly does not apply to Mr Wilson.
7. As you will be aware, we set out our expectations for the lodging of evidence in our First Directions from Hearing Commissioners, 21 May 2019. Because of the scheduling of hearings followed by deliberations, we cannot continue to receive evidence some six months after the relevant hearing. The Panel considers strict adherence to the evidence exchange timetable is necessary given the large number of submissions and further submissions, unless there are strong reasons for an extension.
8. Further, the lodging of late evidence does not allow the s42A report author to consider this evidence and respond.
9. While we understand that a district plan review process can be somewhat daunting for a lay submitter, we are encouraged that Mr Wilson took the opportunity to attend the hearing and present his views. It is unfortunate that he did not raise any concerns or evidence at that time.
10. The Hearings Panel has carefully considered the request but is not persuaded that a time extension is warranted in the circumstances.
11. Any questions concerning this response should be addressed to the Hearings Administrator, Mr Bell.
12. Mr Bell's contact details are as follows:

Email Districtplan@waidc.govt.nz
Telephone 027 214 8052

A handwritten signature in blue ink, appearing to read 'P H Mitchell', followed by a period.

P H Mitchell (Chair)

On behalf of the Hearings Panel

19 February 2021