

From: [Ian and Gillian](#)
To: [Julie Straka](#)
Subject: Re: Plan Change 48 - feedback on legal memoranda
Date: Thursday, 22 August 2019 4:43:56 PM

Dear Julie,

Thank you once again for keeping the community abreast of proceedings and for the opportunity to reply. My feedback is as follows:

Dear Commissioners,

I ask that fairness and equality be applied to all parties and would like to ask how the applicant can request an extension and a right to amend his submission when timelines and procedures were made very clear to all involved? Surely it is time to make a ruling and end the tension and worry that this Plan Change is causing. As a submitter, I followed the procedure, I attended and spoke in front of you and at no point did I expect to hear that the applicant could ask for a second bite of the cherry. How is this possible?

The applicant had more time than anyone to prepare his submission, he had the resources and time to employ a whole plethora of experts and legal advisors, whilst we as ordinary residents did not. If at this point he wishes to make amendments to Plan Change 48 and/or present further information surely this is outside accepted procedures, why is he trying to influence you with new information at this point, his actions should be questioned. I respectfully ask that he be told that it is not possible, that it is too late and that he has had ample opportunity during the hearing to state his case.

I also ask that it be remembered that the communities request for the hearing to avoid the school holidays was declined. Why should the applicant think that the rules do not apply to him?

I thank you for the opportunity to once again have my voice heard.

With kind regards

Gillian Gibbon
105 Wairau Road
Oakura

On 16/08/2019, at 2:16 PM, Julie Straka <julie.straka@npdc.govt.nz> wrote:

Dear Hearing Parties

Prior to the Commissioner adjourning the hearing on Friday 26 July, the Commissioner requested the applicant's counsel provide a memorandum, outlining the suggested further process as the applicant sees it. This was provided on 31 July 2019. This was forwarded to the commissioner the same day.

My understanding was that all parties received a copy of that memorandum as per the commissioner's request. It has been clarified that that did not occur – it was instead sent only to the legal counsel representing some submitters. The legal counsel for those submitters then chose to respond with a memorandum. The applicant's legal counsel then forwarded a subsequent memorandum. All three memoranda are now available on the Council's website.

As per the direction given at the hearing, the Commissioner and the

Commissioner's assistant are now considering the memoranda forwarded before issuing a direction on the forward process.

As only some parties were provided with the applicant's initial memoranda, the Commissioner is providing an opportunity for all submitters to provide feedback. Feedback must be forwarded to julie.straka@npdc.govt.nz by noon on Friday 23 August.

The Commissioner will issue his determination on the forward process after 23 August.

Regards
Julie

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