

21 May 2025

Hearing Panel
Timaru District Plan
pdp@timdc.govt.nz

PO Box 127
Waikanae 5250

Phone: 027 620 6379

Dear Panel

Re: Minute 35 Directions regarding s42A Report filing for Hearing G – Growth and Designations.

I will be preparing and presenting planning evidence for Submitter 160 D & S Payne for Hearing G – Growth.

Minute 35 dated 13 May 2025 extends the date for filing the final s42A Reports for Hearing G from 21 May to 6 June.

No consequent amendment of time is granted to submitters for preparation of evidence in response to the final s42A Report.

The original timetabling provides 20 working days for submitters. The revised timetabling provides for 9 working days (9-19 June).

The original dates were set in Minute 13 dated 5 August 2024 which confirmed the timetable proposed by the Council in their memorandum of 31 July 2024:

1. Council's preliminary s42A report to be filed by 29 October 2024
2. Submitters to provide requested information by 20 February 2025
3. The final section 42A Report to be released by 21 May 2025
4. Submitter evidence to be filed by 19 June 2025
5. Any legal submissions to be filed by 27 June 2025; and
6. Section 42A author summary of issues to be filed by 2 July 2025.

The hearing is set for 8-10 July 2025.

Since 5 August 2024 parties have had dates in the diary relating to this hearing – in particular 21 May 2025 for final s42A Report and 19 June 2025 for submitter evidence to be filed.

Of particular note is that in the Memo dated 31 July Council specifically sought additional time for submitters to respond to the final s42A Report (Para 26):

The Council also respectfully submits that, given the potential scope of evidence that submitters may wish to prepare in response to the final s42A Report, it would be appropriate to provide additional time for submitter evidence to be filed. It is therefore proposed that the normal timeframe for submitting evidence (i.e. 10 working days following the s42A Report) be doubled to 20 working days following the s42A Report.

On 9 May 2025 (10 days before the final s42A Report was due) the Council filed another memo seeking an extension of time for the final s42A Report to 6 June – but no amendment of time for submitters.

It appears that the Council has changed its position and that, as 10 days has been provided for all other hearings, this should also apply to Hearing G.

Minute 35 from the Hearing Panel accepts the amended dates but notes:

Should this directly affect any submitter who is reliant on receiving the s42A Reports on the original date, they may request an extension of time from the Panel in writing.

Currently submitters have no indication what the s42A Report recommendations may be or how many additional reports obtained by the s42A Report writer may need to be assessed and potentially responded to with expert evidence. A provision of 9 working days may well be insufficient to prepare meaningful evidence for the Hearing Panel.

At this stage I am not seeking an extension but wish to bring to the Panel's attention considerable concern about the late change to the timetabling and the potential prejudice to submitters in terms of being able to adequately respond to the final s42A Report and prepare for the hearings on 8-10 July.

Yours sincerely



Lynette Wharfe
Consultant