

26 March 2019

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The Hearing Panel

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SECOND LETTER: RESIDENTS FOR RESPONSIBLE DEVELOPMENT CROMWELL SOCIETY INCORPORATED

Introduction

1. As you know, I act for the Residents for Responsible Development Cromwell Society Incorporated (“**R4RDC**”). R4RDC is a successor to a number of original submitters on Private Plan Change 13 (“**PC13**”).
2. On 19 March 2019, I wrote on behalf of R4RDC to the Central Otago District Council (“**Council**”) in its capacity as a planning authority, raising concerns about the adequacy of the independent expert reporting obtained by the Council in its processing of River Terrace Developments Limited’s (“**RTDL**”) request for PC13.
3. Among other things, my previous letter stated:

... even if the reporting officer were to recommend that the request be rejected, that recommendation could too easily be criticised by RTDL and potentially disregarded by the Panel as not being based on the specialist reports and information; and

[even in that case], it will fall entirely on the submitters to try to provide independent specialist evidence for the Panel to consider at the hearing. This is quite different to the usual scenario where submitters will usually be able to rely on, and supplement, the independent specialist reports obtained by the Council through the section 42A process.
4. I understand a copy of my letter was passed to the Panel, and appropriate officers for consideration. I will continue to address correspondence to the original addressees, unless otherwise advised otherwise.

5. R4RDC has now had an opportunity to undertake an initial review of the reporting officer's section 42A report. R4RDC is obviously pleased with its recommendation that "requested Plan Change 13 be **declined**".
6. The purpose of this letter is to:
 - (a) confirm support for the officer's section 42A recommendations;
 - (b) record that R4RDC continues to have concerns that the officer's recommendations may be considered vulnerable as they do not rely on the Council's own independent expert assessments;
 - (c) continue to seek that independent *specialist* expert assessments (or reports) be obtained through the process – particularly in light of the various points of difference / issues identified in the officer report.
7. In respect of [6](c), section 42(1AA) empowers the "local authority" to commission a consultant to prepare a report – while that has occurred in respect of the general planning section 42A report, there is still no impediment to the "local authority" (whoever now holds the appropriate delegations) commissioning additional specialist reports under section 42(1AA). The only constraint is they need to be made available by 20 May 2019 (ie three weeks before the hearing), under section 42A(3)(a). Parties could still provide a supplementary statement of evidence after receipt of any such report.

Yours faithfully
James Gardner-Hopkins



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