

CENTRAL OTAGO DISTRICT COUNCIL

RC230398 – D J JONES & N R SEARELL FAMILY TRUST

MINUTE 2 OF HEARING PANEL TO THE APPLICANT

1. Further to our Minute 1, issued on 23 September 2024, the Panel has today received a Memorandum of Counsel on behalf of the Applicant (as attached). Overall, the Applicant stated that:
 - Any delay in the Hearing would cause undue prejudice to the Applicant;
 - A delay would not be appropriate and fair in the circumstances; and
 - The Applicant is opposed to the request to delay the hearing.

2. We have carefully considered Mr Dicey's request and the Applicant's response and find that:
 - The submitter has had 10 weeks since public notification and 6 weeks since submissions closed to engage and brief expert evidence in preparation for the hearing.
 - The Council followed its usual procedure for distributing the Notice of Hearing.
 - The Notice of Hearing appropriately detailed the requirement that evidence must be provided at least 10 working days prior to the Hearing in alignment with the requirements of the RMA 1991.
 - The Consent Authority has an obligation to run an efficient and fair hearing process for all parties and to avoid unreasonable delay.
 - Any delay in the Hearing would cause undue prejudice to the Applicant.
 - Given the above, we do not consider any party is disadvantaged by proceeding with the Hearing commencement date of Monday 14 October 2024.


3. We note that since Mr Dicey's email was received, Council staff have made direct contact with all submitters to ensure they received a copy of the Notice of Hearing via the generic email address Hearings@codc.govt.nz.

4. We remind submitters to check the security settings of their email accounts, and/or to check their SMAP folders regularly during this process.

5. If there are any questions arising from this Minute, please direct those in the first instance to Ms Lines, Council's Hearing Facilitator who can be reached at phone number 021 976 340, or e-mail tarryn.lines@codc.govt.nz.

DATED this 24 day of September 2024

Signed by



Rosalind Day-Cleavin
Chair of Hearing Panel