

IN THE MATTER                      of the Resource  
Management Act 1991

AND

IN THE MATTER                      of the Proposed  
Queenstown Lakes District  
Plan

AND

IN THE MATTER                      of Late Service of Notice of  
Hearing

### **DECISION OF COMMISSIONER DENIS NUGENT**

1.            On 19 February 2016 the Council issued a written notice of hearing to submitters on Hearing Stream 1A advising them that the hearing would commence on 7 March 2016 and inviting them to select a preferred time and location for their submission to be heard.
2.            On 23 February the Council became aware that Te Ao Marama Inc had not been sent a notice of hearing even though they had lodged a submission related to that hearing stream. The reason, it transpired, was that the submission had been incorrectly coded as being to the whole of the District Plan. Council staff contacted Te Ao Marama by phone and email on 23 February, apologising for the failure to notify, and advising belatedly of the hearing.
3.            On 25 February Ms Chalmers received an email from Ms Cain of Te Ao Marama advising that the organisation would attend the hearing on 8 March and require 30 minutes of hearing time. Ms Cain also sought an extension of time to file evidence.
4.            I am satisfied that there is no prejudice to Te Ao Marama with the late notice, provided sufficient time is provided for the organisation to lodge its evidence. I consider that extending that period to 4pm on Thursday 3 March should provide sufficient time for the evidence to be lodged, and provide the Hearing Commissioners with sufficient time to read it prior to the hearing.
5.            For those reasons, pursuant to section 37 and 37A of the Act I waive the failure of the Council to provide 10 working days' notice of the hearing on 7 March to Te Ao Marama and extend the time for Te Ao Marama to lodge evidence to 4pm on Thursday 3 March 2016.

A handwritten signature in blue ink, appearing to read "Nugent".

Denis Nugent  
Hearing Panel Chair  
26 February 2016