

14 November 2023

BY EMAIL



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Te Marae o Hine  
The Square  
Private Bag 11034  
Palmerston North 4442  
New Zealand

Oasis - 16950576

Dear Submitter

**HEARING OF PALMERSTON NORTH CITY DISTRICT PLAN  
PROPOSED PLAN CHANGE G – AOKAUTERE URBAN GROWTH**

Pursuant to Clause 8B of the First Schedule of the Resource Management Act 1991, notice is hereby given that Commissioners<sup>1</sup> will be hearing submissions on Proposed Plan Change G – Aokautere Urban Growth ('Plan Change G').

The hearing will commence at 1.00pm on Monday, 4 December 2023, to reconvene Tuesday 5 to Friday 8 December 2023 (at 9.00am each day), and Monday 11 to Thursday 14 December 2023 (at 9.00am each day) - if required. If further time is required, the hearing will reconvene at a time and date to be determined.

Please be aware that the hearing will take place at the following venues:

<b>Date</b>	<b>Venue</b>
4 December 2023 5 December 2023 7 December 2023 8 December 2023 11 December 2023 12 December 2023 13 December 2023 14 December 2023	The Council Chamber, first floor, Palmerston North City Council Building, Te Marae o Hine, 32 The Square, Palmerston North.
6 December 2023 13 December 2023	Conference and Function Centre, 354 Main Street, Palmerston North.

The Hearing Panel has stated their preference for submitters and expert witnesses to attend the hearing in person: *'Parties may request leave from the Chair for submitters and/or expert witnesses to attend the hearing to provide submissions and /or evidence via audio visual link. Such requests must be made to the PNCC Hearing Administrator at*

<sup>1</sup> Independent Hearing Panel composed of Independent Commissioner David McMahon (Chairperson), Councillor Lorna Johnson and Independent Commissioner Sharon McGarry.

least five working days prior to the date at which the witness or submitter is scheduled to appear along with an outline of the reasons for the request. A decision will be at the discretion of the Hearing Panel<sup>2</sup>.

The list of submitters is set out below.

Those submitters wishing to be heard are marked with an asterisk. If you no longer wish to be heard or are not able to attend the hearing please contact me no later than Friday 17 November to advise.

### Original Submitters

<b>*Indicates to be heard</b>	<b>Submitter</b>
SO 1	Bo Yu
SO 2	Mark Currin
SO 3	* Jason Raman
SO 4	Audrey Shepherd
SO 5	* David Basire
SO 6	* Jessica Somerton
SO 7	Alan David Smeaton
SO 8	* Warren Sara
SO 9	Karen Wilton
SO 10	* Stephen Noel & Carole Anne Sorsby
SO 11	Des Waters
SO 12	Ian King
SO 13	Mary Morgan-Richards
SO 14	* Stewart Davies
SO 15	Lynne Rea
SO 16	Brian Hewson
SO 17	Inga Hunter
SO 18	* Robert McLachlan
SO 19	* James Irwin
SO 20	Patrick Morgan
SO 21	* Prasika Reddy
SO 22	Dennis Thomas
SO 23	Daniel Carrick
SO 24	* George Kinder
SO 25	* Shaun Henry
SO 26	Maher Fuad
SO 27	Linda Rowan
SO 28	Undisclosed
SO 29	Undisclosed
SO 30	Ee Kheng Ang
SO 31	* Ralph Sims
SO 32	* Sue Cooper
SO 33	* Fire & Emergency
SO 34	Ray & Judy Stevens
SO 35	* Douglas Pringle
SO 36	Nathan Meyer

<sup>2</sup> Paragraph 18, Minute # 2 of the Hearing Panel dated 8 August 2023.

<b>*Indicates to be heard</b>	<b>Submitter</b>
SO 37	Lew Thompson
SO 38	Marie Thompson
SO 39	* Anthony and Rosemary Gear
SO 40	Heather & Grant Morgan
SO 41	* Brett Guthrie
SO 42	Odine Johnstone
SO 43	* Chris Teo-Sherrell
SO 44	Sonya Park
SO 45	* PN Industrial & Residential Developments Ltd
SO 46	Michael Poulsen
SO 47	* Pasifika Reference Group
SO 48	Bruce & Marilyn Bulloch
SO 49	* Gill Welch
SO 50	* Palmerston North City Council
SO 51	* Heritage Estates 2000 Ltd
SO 52	* Elena Garcia
SO 53	Larry Harrison
SO 54	* Barry Scott
SO 55	Christine Scott
SO 56	* Paul & Jan Dixon
SO 57	* Sport Manawatū
SO 58	* CTS Investments Ltd, Woodgate Ltd and Terra Civil Ltd.
SO 59	* Transpower NZ Ltd
SO 60	* Horizons Regional Council
SO 61	* Ngawai Farms Limited
SO 62	Kat Lyons
SO 63	* Waka Kotahi
SO 64	Scott Knowles
SO 65	* Steve Welch
SO 66	Jessica Costall
SO 67	* Jill White
SO 68	Russell Poole
SO 69	Karen Lyons
SO 70	Epenesa Faaiuasō
SO 71	* Susan and Yann Le Moigne
SO 72	* Kerry Park
SO 73	* Kevin Low
SO 74	Elizabeth Endres
SO 75	Gareth Orme
SO 76	* Rifle Rod & Gun Club Manawatū
SO 77	* Rangitāne O Manawatū
SO 78	Wayne Phillips
SO 79	* Rob Campbell
SO 80	Elizabeth Fisher
SO 81	Steve Rowe
SO 82	Craig Hindle
SO 83	* Ben Somerton
SO 84	* Tabitha Prisk
SO 85	* Gaylene Tiffin

<b>*Indicates to be heard</b>		<b>Submitter</b>
SO 86		Jayne Hewson
SO 87	*	Ashok Poduval
SO 88	*	Mary-Ann Bailey
SO 89		Joy Vanderpoel
SO 90		Colin Perrin
SO 91	*	David Prisk
SO 92		Tracey Yung
SO 93		Jeff Watson
SO 94		Gert Starker
SO 95		Anna Berka
SO 96		Anne Ridler
SO 97	*	Manawatū Branch of Forest & Bird
SO 98	*	Sara Burgess
SO 99		Heather Turnbull
SO 100		Cristopher Joven
SO 101	*	Paul Hewitt
SO 102	*	Robert Gardner
SO 103	*	Flygers Investment Group Ltd
SO 104		Arvida Group Ltd
SO 105	*	Bruce Wilson
SO 106		Catherine Sims
SO 107	*	Prabandha Samal

### Further Submissions

<b>*Indicates to be heard</b>		<b>Submitter</b>
FS 1	*	Palmerston North City Council
FS 2	*	Waka Kotahi NZ Transport Agency
FS 3	*	Rosemary & Anthony Gear
FS 5	*	Heritage Estates 2000 Ltd
FS 4	*	Brett Guthrie

A link to an agenda for the hearing will be circulated to all submitters on 29 November 2023<sup>3</sup>. Please note that all the material and evidence contained in the agenda will have been previously pre-circulated to submitters and published on the Council's website: [pncc.govt.nz/PlanChangeG](https://pncc.govt.nz/PlanChangeG).

If you have not done so already, I encourage you to visit the [Plan Change G page on the Council website](#) to get familiar with the hearing material in advance.

<sup>3</sup> Deadline for written replies from PNCC s42A reporting officers is 1pm on 28 November 2023 ([Minute # 3 of the Hearing Panel dated 7 November 2023](#)).

For the hearing, the following process is proposed and is based on all expert evidence having been pre-read by the Hearing Panel in advance of the hearing:

- Expert witnesses will be given the opportunity to provide a brief “highlights” package (preferably in writing of approximately 2 pages) of the content of their evidence with an emphasis on any unresolved matters. The Hearing Panel will then ask any questions of clarification of each witness.
- Submitters presenting on their own behalf (i.e. without any expert witnesses) do not need to pre-circulate their written statements (but can do so if they wish). They may read their statements on the day of the hearing. The Hearing Panel will then ask any questions of clarification to each submitter.

A hearing schedule with estimated speaking time for each participant will be circulated prior to the hearing. I will be in touch with each submitter to organise this soon.

Finally, please find attached a Procedure Sheet containing information about the procedure for District Plan hearings. Please read this carefully as it contains important information about the hearing.

If you have any queries, please do not hesitate to contact me at (06) 355 6444 ext. 7518, or email [susana.figlioli@pncc.govt.nz](mailto:susana.figlioli@pncc.govt.nz).

Ngā mihi



**Susana Figlioli**  
**Democracy and Governance Administrator**  
**Palmerston North City Council**

## PROCEDURE SHEET

### HEARING OF SUBMISSIONS ON A CHANGE TO THE DISTRICT PLAN

This information is for the assistance of persons participating in a hearing under the Resource Management Act 1991.

#### 1. Engagement of Counsel

You can present your own case, but if you wish you can engage legal counsel or any other person to appear on your behalf.

#### 2. Public Hearings

All hearings are public and the media and members of the public are entitled to be present. This also means that any evidence provided during the process and the Decision of the Commissioner(s) will be published on the Council website and at public display points.

Submissions and evidence will remain publicly available only for the period for which the decision is open, i.e. until the appeal period closes and removed from Council's website and display points at the completion of the relevant RMA process.

Despite the above, the Commissioner(s) may hold any part of the hearing in private and has the power to make an order to protect sensitive information. (See *paragraph 14 below*).

#### 3. Independent Hearing Panel Conducting the Hearing

The Council has delegated the conduct of the Hearing and the power to make a decision on the submissions to an Independent Hearing Panel. The members of the Panel will hear and determine submissions and provide a recommendation to Council for incorporation into the operative District Plan.

#### 4. Agenda

A link to an agenda for the Hearing will be sent to you by email before the Hearing. The agenda lists generally the order of the day although there may be some variation to this. The agenda will also include pre-circulated evidence. (See *paragraph 6 below*).

All material related to the Hearing is or will be available on the Council's website: [pncc.govt.nz/PlanChangeG](http://pncc.govt.nz/PlanChangeG).

## **5. Attendance of Parties**

Unless you have previously sought and been granted an adjournment of the hearing, if you do not or are unable to attend the Hearing, the Hearing Panel may proceed and make decisions in your absence.

## **6. Preparation of Evidence**

Unless you are an expert witness, you have the choice of either having your evidence pre-circulated before the Hearing, or presenting your evidence (written or oral) for the first time at the Hearing. If you decide to have your evidence pre-circulated, you will need to give it to the Hearing Administrator by 1pm on 29 November 2023.

For all reports and evidence that are pre-circulated before the hearing, the Hearing Panel may decide that the evidence be taken as read or that you may elaborate on principal points. In this case, there would be no need for this evidence to be read in full. You will not be obliged to elaborate any further unless asked to.

However, if your evidence is written but is tabled for the first time at the Hearing, your evidence must be read in full by yourself or by your representative. You should also have 10 copies of your evidence available for distribution by the Hearing Administrator, to the Hearing Panel, other parties and the media.

It would assist the Hearing Panel if you prepare a written copy of your evidence. It is not necessary to produce copies of the original submission itself as the Hearing Panel will have been previously supplied with this.

Pre-circulation of evidence has followed the directions given by the Hearing Panel in Minutes #2 and #3. Evidence already filed has been published on the Council's website: [pncc.govt.nz/PlanChangeG](http://pncc.govt.nz/PlanChangeG).

## **7. Content of Evidence**

Parties may elaborate on points they have already raised in their original or further submission.

Where it is considered that there is likely to be excessive repetition, the Hearing Panel may limit the circumstances in which parties having the same interest may speak or present evidence.

## **8. Venue for the Hearing**

On 4, 5, 7, 8, 11, 12 and 14 December 2023, the Hearing will be held at the Council Chamber, which is situated on the first floor of the Civic Administration Building, Te Marae o Hine, 32 The Square, Palmerston North. Access to the Council Chamber is via the automatic doors on Te Marae o Hine - The Square side of the roadway where our Customer Service Centre is situated. There are stairs and a lift to the first floor on the right as you enter the building.

On 6 and 13 December 2023, the Hearing will be held at the Conference and Function Centre, 354 Main Street, Palmerston North.

#### **9. Evidence**

The Hearing Panel may require evidence given at the Hearing to be on Oath or Affirmation. Any pre-circulated evidence may also be required to be sworn whether it is read or taken as read.

If a witness is unable to attend the hearing, the Hearing Panel has the discretion to accept evidence in the form of an affidavit. An affidavit must be in writing, sworn before a solicitor, Justice of the Peace or other authorised officer, and should also set out the reasons why the witness is unable to attend the hearing in person.

#### **10. Cross Examination**

There is no right of cross-examination. This means that the parties do not have the right to address questions to other parties, or to the Hearing Panel. The Hearing Panel may, however, question any party concerning their submission or evidence.

#### **11. Conduct of the Hearing**

At the start of the Hearing, the Hearing Panel will briefly outline the hearing procedure.

The following order of appearance will usually apply:

- Council's Reporting Officers;
- Submitters.
- Council Right of Reply

#### **12. Tikanga Maori**

Tikanga Maori is recognised where appropriate and the Hearing Panel will receive evidence written or spoken in Te Reo Māori.

If you wish to speak in Te Reo Māori at the Hearing, please contact the Hearing Administrator by 22 November 2023. This is to enable arrangements to be made for a certified interpreter to attend the Hearing, (*Section 4(5) Maori Language Act 1987*).

#### **13. Visual Aids**

If you have PowerPoint presentations or similar, or you wish to use a data projector, video, whiteboard, pin-up board or a similar aid, please contact the Hearing Administrator no later than two days before the Hearing so that arrangements can be made.

#### **14. Sensitive Information**

The Hearing Panel may make an order to protect sensitive information. The reasons for which such an order can be made, and the consequences, are detailed in Section 42 of the Resource Management Act 1991.



**15. Adjournment of the Hearing**

The Hearing Panel has the power to adjourn the Hearing.

After the Hearing Panel has heard the evidence and submissions, they will usually declare the Hearing adjourned or closed and will leave the Council Chamber to consider its decision.

**16. Additional Information**

After the Hearing Panel has adjourned the hearing, further details of information from any party involved in the proceedings may be requested. If this happens, all parties will be circulated with copies of the additional information obtained and will be given the opportunity to comment before the Hearing Panel makes a final decision.

**17. Decision of the Hearing**

All parties will be advised in writing of the Council decision and the reasons for those decision in due course.

**18. Appeals against Council Decision**

Any person who has made an application, objection or submission has a right of appeal to the Environment Court. Such appeal may be against the whole or any part of the decision. The time within which the right of appeal to the Environment Court must be exercised is within 30 working days of notice of the decision being received in accordance with the Resource Management Act 1991.

Because the appeal procedure is more involved than the initial Hearing, it is suggested that parties consult a solicitor if they wish to appeal.

**19. Variation of Procedure**

The Hearing Panel may, at their sole discretion, vary the procedures set out above if the circumstances indicate that some other procedure would be more appropriate.

**20. General**

You should not endeavour to contact the Hearing Panel. Any correspondence to the Hearing Panel should be directed through the Hearings Administrator Susana Figlioli ([susana.figlioli@pncc.govt.nz](mailto:susana.figlioli@pncc.govt.nz)).

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