

BEFORE THE PALMERSTON NORTH CITY COUNCIL

IN THE MATTER of the Resource Management Act 1991
(the Act)

AND

IN THE MATTER of a review by **PALMERSTON NORTH CITY COUNCIL** of the conditions of consent for Te Rere Hau Windfarms under s 128 of the Act.

MEMORANDUM FROM LAWRENCE HILL TO THE HEARING PANEL

Dated: 29 August 2017

May it please the Hearing Panel

- [1] I am a submitter to the review of the consent conditions for the Te Rere Hau Windfarm by the Palmerston North City Council ("**Council**").
- [2] I seek approval from the Hearing Panel ("**Panel**") to provide an oral submission via audio visual link from Christchurch at a time convenient for the Panel.

Reason

- [3] Due to the vagaries of the timetabling for the hearing process this has caused excessive uncertainty as to when a time may be available for me to speak to my submission.
- [4] These vagaries have now caused unreasonable cost because I will need to travel from Christchurch to Palmerston North and air travel in and out of this location can be problematic when time frames are unknown.

[5] I can confirm that I did not elect to present orally to the Panel, however, having reviewed the evidence circulated at the end of last week I consider that it is now important for the Panel to hear my submission.

Rationale

[6] Section 83 of the Local Government Act 2002 (“LGA”) provides for circumstances such as this:

83 Special consultative procedure

(1) Where this Act or any other enactment requires a local authority to use or adopt the special consultative procedure, that local authority must—

...

(d) provide an opportunity for persons to present their views to the local authority in a manner that enables spoken (or New Zealand sign language) interaction between the person and the local authority, or any representatives to whom an appropriate delegation has been made in accordance with Schedule 7; and

(e) ensure that any person who wishes to present his or her views to the local authority or its representatives as described in paragraph (d)—

(i) is given a reasonable opportunity to do so; and

(ii) is informed about how and when he or she may take up that opportunity.

(2) For the purpose of, but without limiting, subsection (1)(d), a local authority may allow any person to present his or her views to the local authority by way of audio link or audiovisual link.

(3) This section does not prevent a local authority from requesting or considering, before making a decision, comment or advice from an officer of the local authority or any other person in respect of the proposal or any views on the proposal, or both.

[7] Subsection 2 above provides the Panel with the necessary powers to agree to hear my oral submission.

[8] By confirming that my submission may be heard via audio visual link the Panel will be complying with the purposes of the LGA, particularly s 3(c)-(d):

3 Purpose

The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities; and, to that end, this Act—

(a) states the purpose of local government; and

- (b) provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and
- (c) promotes the accountability of local authorities to their communities; and
- (d) provides for local authorities to play a broad role in meeting the current and future needs of their communities for good-quality local infrastructure, local public services, and performance of regulatory functions.

4 If the Panel approves to hear my submission via audio visual link, I will make myself available to confer with Council staff to ensure any technical matters are properly resolved.

Date: 29 August 2017



Lawrence J Hill
Submitter