

# Proposed Marlborough Environment Plan

## Minute of the Hearing Panel

### Minute 3A

On the 18 October 2017, the Proposed Marlborough Environment Plan Hearing Panel (the Panel) received two requests from Friends of Nelson Haven and Tasman Bay Inc (FONH) making a number of requests for individual exceptions to procedure in terms of the timetable laid down in our First Minute.

The reason for delay was stated to be Mr Schuckard's absence overseas at the time the First Minute was issued by the Panel and his illness on return.

Both our First and Second Minutes have stressed the fact that with the very large number of submitters requesting to be heard, exceptional circumstances need to be advanced in detail if requests for extra time are to be made. We again record that the reason for requiring evidence to be lodged well before hearing dates, as well as legal submissions, is to enable the Panel members to pre-read all evidence and legal submissions. As a result, those presenting at the hearings only need sufficient appearance time to stress their main points, because evidence and submissions will have been read. (The hearing schedule will provide further time for Panel questions.)

The requests made by FONH do not provide any detail as to why extra presentation time is required. They merely cite 'some exceptional circumstances', but without providing any detailed reasons.

The requests to be heard on Chapter 4 issues out of sequence, and seeking extra time of one hour, are, therefore, not accepted at this stage unless some genuinely exceptional reasons are able to be advanced for those requests. We repeat what we said about similar such requests made by other submitters in our Second Minute, as those comments apply equally to this submitter's requests:

*"The Panel encourages the submitters to resubmit their requests in response to the relevant hearing notices. These requests should set out the relevant exceptional circumstances that justify the increased time, and should also detail who the witnesses are for whom more time is sought, why they need more time, and how much extra time is sought for any particular witness."*

As to the requests for extra time in February, 2018 for Hearing Block 2, on topic 5, we deal with those as follows:

- i. We note the witness Dr. M. Steven is being called on Natural Character & Landscape. The FONH request stated that his expertise is being shared with Kenepuru and Central Sounds Residents Association, and that *'his appearance may well be heard for both organisations together.'* The FONH request continued to state:

*"As such we concur with the time that is requested for the purpose of the presentation of this witness."*

As a consequence we are not certain what request is being made, if any, in respect of Dr. Stevens' evidence.

However, for the sake of clarity we wish to record that the Panel intends that witnesses on particular subjects will only be heard once, and will not be able to be repetitively called by differing submitters on the same subject.

- ii. As to Climate Change and Indigenous Biodiversity, extra time was sought but without any detailed reason for the exceptions sought being advanced. Once more we refer to our Second

Minute. Particular reasons will need to be advanced to support requests for extra time. At present no reasons have been advanced for such extra time to be considered.

- iii. Finally, a request was made for extra time to lodge evidence for Hearing Block 2. We infer that request is made in part because of pressures arising from Mr Schuckard's absence overseas, and for that reason that request is granted to allow the same time frame as was allowed for Kenepuru and Central Sounds Residents Association, i.e. until 2 February, 2018.

Dated 24 October 2017

A handwritten signature in black ink, appearing to read 'T Hook', with a small dot at the end.

Councillor Trevor Hook

Chair of the MEP Hearing Panel