

**Pat Evans**

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**From:** pat.evans@buddlefindlay.com  
**Sent:** 16 December 2011 15:24  
**To:** Pat Evans  
**Cc:** Pat Evans  
**Subject:** FW: copy of email from John Carr to EC

-----Original Message-----

**From:** David Meares [mailto:david.meares@gmail.com];  
**Sent:** 10/11/2011 9:40:42 a.m.  
**To:** Kerry Smith [mailto:kerry.smith@buddlefindlay.com]; Ecan Sarah Drummond [mailto:sarah.drummond@ecan.govt.nz]; Bell Gully Andrew Beatson [mailto:andrew.beatson@bellgully.com]; Bell Gully Natasha Garvan [mailto:natasha.garvan@bellgully.com]; Ryan Stuart [mailto:stuart@stuartryan.co.nz]; Marr Annette [mailto:armarr@ihug.co.nz]; Meares Vivi [mailto:vivi.meares@gmail.com]; McLachlan Felicity & Julia [mailto:mclachlan.f@gmail.com]; Symonds Judy [mailto:jsymonds@xtra.co.nz]; Carr John [mailto:johncarr@ipapa.com]; McLachlan Hamish and Katrina [mailto:hkmclachlan@hotmail.com]; Thomas Gary [mailto:thomassgmv@hotmail.com]; Vincent Phoebe [mailto:phoebe.vincent@hotmail.com]; Herbert Chris [mailto:chrisherbert@xtra.co.nz]; NZWEA Eric [mailto:Eric@nzwea.org.nz]; Burgham Bernadette & Noel [mailto:bmb@clear.net.nz]; McKone Jan & John [mailto:j.mckone@farmside.co.nz]; McBrean Todd [mailto:mtvenus@farmside.co.nz]; Meares David [mailto:david.meares@gmail.com]; Pankhurst Heather And John [mailto:jhpankies@gmail.com]; Fitzsimmons Kathryn and Mark [mailto:kathryn.fitzsimmons@gmail.com]; Meares Lyn [mailto:lymmeares@gmail.com]; Adler Carol and Terry [mailto:workdout@gmail.com]; Higginson Graeme + Jo [mailto:joieg@hotmail.co.nz]; Goodship Jill [mailto:ajgoodship@ihug.co.nz]; Meares Belinda [mailto:belindameares@live.com.au]; Messervy Ellie and Murray [mailto:ellie.m@slingshot.co.nz]; Baxter Alec and Nancy Stanley [mailto:awbaxter@xtra.co.nz]; McLean George and Mariame [mailto:eastlyme@xtra.co.nz]; Love Leigh [mailto:llove@xtra.co.nz]; Barnes Sarah & Sam [mailto:sam.sarah@xtra.co.nz]; Turnbull Hugh & Yo [mailto:turnbull.chilternhills@xtra.co.nz]; Greta Valley School Principal [mailto:principal@gretavalley.school.nz]; Donaldson Terry [mailto:motunau@clear.net.nz];  
**Subject:** copy of email from John Carr to EC

Dear Judge Borthwick

Please find attached a copy of the questionnaire sent to all submitters yesterday by Hurunui District Council.

I would be most grateful if you could provide answers to me as regards my questions 1 to 5 below. I apologise that this request is in email format. However I am currently in Auckland on business, and many with pressing business engagements I do not have the time to work out how to produce a word document on my laptop computer. My computer skills are not that great

The questionnaire I personally find it both an intimidating document as regards the questions that I have been asked to answer when I am totally ignorant concerning the whole proceedings, and a threatening document on two accounts. The first being the timetable, see paragraph (r), setting out a timetable of proceedings which is aggressively tight in it's timelines, compounded by the fact that 20 December to the end of January is a holiday period, and secondly indicating that if the Council does not get my response by 4pm on 16 November it appears that I have lost all my rights to respond to some questions which at the current time I have no ability to answer. I understand that the pre hearing conference on 5 December was the time when many of the matters to which the questionnaire addresses were to be discussed.

The attached questionnaire contains 21 separate questions. At this time I feel comfortable in answering 8. On some others I need guidance from the Court prior to being able to answer them, and of the remainder I have at this time no ability to answer them. I have the following questions.

1. Is Hurunui Council's questionnaire attached a legally binding document.
2. Am I obliged to answer all the questions in the questionnaire, notwithstanding my comments above.
3. If I am unable at this time to answer questions set out in the attached document do I lose my rights to respond to them at a later date when I feel confident that I can answer the questions not initially answered.
4. Is the timetable set out in paragraph (r) a timetable set down by the Court or proposed by the Hurunui District Council. If proposed by the Council what legal standing does that have in the Court.
5. Am I correct in assuming as regards this case that the only legal obligations on the 274 submitters are directions handed down by the Court.

Whilst I write this letter to cover my personal concerns, it would not surprise me if any of the submitters are like myself feeling that they are being threatened and railroaded by Hurunui District Council to do something which until the pre hearing on 5 December they remain uncertain of the implications, and need answers to the above questions.

I have read your Minute to the Parties dated 3 October paragraph 24, and I recognise the Council's obligations to respond by 21 November. However their questionnaire seems to go way beyond their remit.

I will forward this communication to each party. Meanwhile I look forward to your reply as a matter of some urgency

Regards

John Carr

Tipapa Ltd.