
**DIRECTIONS OF THE HEARINGS PANEL
MINUTE 1**

1 INTRODUCTION

- [1] The hearing for Proposed Change 60 is scheduled for Wednesday 18 October 2023. The following directions and requests relate to the hearing.

2 HEARING FORMAT

- [2] The hearing will be held in the Whanganui District Council chambers and will commence at 9.00am.
- [3] There will be no cross-examination of witnesses by other submitters.
- [4] We will hear from submitters in accordance with a hearing schedule to be issued by the Council.
- [5] Following the conclusion of the hearing the Section 42A Report author will provide a 'Reply', outlining any amendments to their original recommendations and a response any questions from the Hearings Panel arising during the course of the hearing.

3 PRE-CIRCULATION OF MATERIAL

- [6] The efficient running of the hearing will rely on the timely pre-circulation of submitter evidence and legal submissions (if any). The pre-circulation of material is intended to minimise the time required for everyone to present their case at the hearing itself, but, at the same time, to ensure that everyone is able to fully participate in the hearing process.
- [7] A Section 42A Report¹ prepared by the Council will be made available to participants no later than **Tuesday 26 September 2023**. The Report will be posted on the Council's webpage.
- [8] This will allow submitters to have regard to the contents of the Section 42A Report when preparing their written evidence or deciding what to present verbally at the hearing. It would be extremely helpful to the Hearings Panel if submitters could indicate in their evidence whether or not they agree or disagree (with reasons) with the Section 42A Report author's conclusions and recommendations.
- [9] The Section 42A Report author will attend the hearing and be available to answer any questions from the Hearings Panel. The Section 42A Report will constitute part of the body of evidence to be considered by the Hearings Panel, alongside the evidence of submitters.
- [10] Pursuant to section 41B(3) of the RMA, submitters who intend to call expert evidence² in support of their submissions are directed to provide written briefs of that evidence to the Council Hearings Administrator no later than **Tuesday 3 October 2023**. All expert witnesses presenting briefs of evidence are to include a summary statement that is no more than **one A4 page** long at the beginning of their evidence.
- [11] If submitters intend to provide written evidence themselves, or have non-expert people appear on their behalf, then they are requested and strongly urged to also provide a written statement of that evidence to the Hearings Administrator no later than **Tuesday 3 October 2023**.
- [12] If any party intends to have legal counsel present legal submissions, they are requested to provide those submissions to the Hearings Administrator no later than **Tuesday 10 October 2023**.
- [13] The Hearings Panel will take all original submissions, further submissions and pre-circulated written evidence and legal submissions as read at the hearing. Accordingly, pursuant to section 41C(1)(b) of the RMA, all participants are directed that they and their experts will not be required to read any such material aloud at the hearing. Reading that material aloud at the hearing would be an inefficient use of time as the Hearings Panel members will have already read it.

¹ The s42A Report includes a discussion of the submissions and further submissions. It recommends (with reasons) whether any changes should be made to the notified plan provisions in response to the submissions and further submissions. Those recommendations do not bind the Hearings Panel.

² Expert evidence is that written by qualified planners, engineers or scientists, for example, prepared in accordance with the Environment Court's Practice Note 2014 for expert witnesses.

[14] However, experts may be asked to read out their summary statements and submitters may be asked to highlight key points of concern for the benefit of the Hearings Panel members who will then ask any questions they may have.

[15] Should any submitter wish to speak in Te Reo, utilise Sign Language, or utilise visual aids (PowerPoint, etc) they are requested to liaise directly with the Hearings Administrator, as soon as possible, but no later than **Tuesday 10 October 2023** regarding their needs.

4 APPEARANCE TIMES

[16] The Hearings Administrator will contact submitters who have expressed a wish to be heard on or before **Tuesday 3 October 2023** to confirm that they still wish to be heard. At that same time submitters will be requested to indicate how much speaking time they wish to have, and whether they intend to attend the hearing in person or remotely (MS Teams or Zoom).

[17] When requesting speaking times, submitters are reminded that the Hearings Panel members will have pre-read all of the pre-circulated material (submissions, further submissions, evidence and legal submissions). The hearing day will be divided into four sessions (before morning tea, before lunch, before and after afternoon tea) and each submitter wishing to be heard will be assigned to one of those sessions. A hearing schedule showing which session each submitter is allotted to will be posted on the Council webpage on or before **Tuesday 10 October 2023**.

[18] However, submitters should be aware that hearings often run either late or early and that should be borne in mind when deciding when to arrive at the hearing venue.

5 HEARINGS ADMINISTRATOR

[19] The Council has appointed a Hearings Administrator who is:

Name: Leayne Huirua

Email: Leayne.Huirua@whanganui.govt.nz

6 SITE VISIT

[20] The Hearings Panel members may undertake a site visit before or after the hearing.

7 CORRESPONDENCE

[21] Submitters and other hearing participants must not attempt to correspond with or contact the Hearings Panel members directly. All correspondence relating to the hearing must be addressed to the Hearings Administrator.

8 SERVICE OF DOCUMENTS

[22] All written material addressed by this Minute must be lodged with the Hearings Administrator in **Microsoft WORD** format by either:

- Preferably email to Leayne.Huirua@whanganui.govt.nz or
- Post addressed to: Whanganui District Council, PO Box 637, Whanganui 4541:Attention: Leayne Huirua

[23] All written material relevant to the hearing will be posted on the Council webpage at:

[Plan Change 60 - Miscellaneous 2 Whanganui District Council](#)



Rob van Voorthuysen

Independent Commissioner – Chair - on behalf of the Hearings Panel members