

Proposed Regional Plan for Northland

MINUTE AND DIRECTIONS OF COUNCIL

Minute 5

INTRODUCTION

- [1] As outlined in Minute 4, the full Council (all the councillors) will hear the submissions seeking the addition of provisions for genetically modified organisms (GMO). The hearing for the GMO submissions will be separate to, and held after, the hearings on the rest of the Proposed Plan.
- [2] Sections 41B to 41D of the RMA set out various powers Council has for conducting a hearing. Section 41A requires that before using these powers, we should satisfy ourselves that the scale of the hearings makes the exercise of these powers appropriate. Given the number of submitters wishing to be heard Council is satisfied the scale and significance of the hearing warrants the exercise of powers under sections 41B to 41D of the RMA.

HEARINGS

- [3] The following preliminary information, directions and requests relate to submitters intending to appear at the hearings.
- The Section 42A report¹ will be made available five or six weeks before the start of the hearing, allowing submitters to have regard to its contents when preparing their evidence. It would be extremely helpful for councillors if submitters could indicate in their evidence whether or not they agree or disagree (with reasons) with the staff recommendations that relate to their submissions.
 - Pursuant to section 41B(3) of the RMA, submitters who intend to call expert evidence² in support of their submissions are directed to provide a written statement of that evidence to the Council no later than two weeks before the hearing commences.
 - 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 Council no later than two weeks before the hearing commences.
 - All evidence received will be posted on the council's website.
 - Some submitters may wish to have legal counsel present legal submissions to the hearing in support of their submissions. If that is the case, then Council requests that those legal submissions are provided no later than three working days before the submitter is scheduled to be heard. This will better enable Council to consider the matters being addressed by those counsel.
 - All pre-circulated evidence and legal submissions will be taken as read at the hearing. Accordingly, pursuant to section 41C(1) of the RMA, submitters are directed that they, their experts and their counsel will not be required to read any such material out loud at the hearing. Nor will they be required to read out loud their original submissions. Reading that material out loud at the hearing would be an inefficient use of time as the councillors will have already read it.

¹ The Section 42A Report includes a discussion of the submissions and the amendments sought by submitters to the Plan. It recommends (with reasons) whether the submissions should be accepted or rejected. Council is not bound by the recommendations and Council weighs the advice along with the views of the submitters when making decisions.

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.

- However, submitters, experts and counsel will be allowed to briefly highlight key points for the benefit of Council. Councillors will then ask any questions they may have.

WEBSITE

- [4] All information relevant to the hearings will be made available on the Council's website: www.nrc.govt.nz/newregionalplan

SERVICE ON THE COUNCIL

- [5] Any further written information, evidence or legal submissions addressed by this Minute, and any memorandum or application to Council, must be lodged:
- By post addressed to the Northland Regional Council, Private Bag 9021, Whangarei Mail Centre, Whangarei 0148. Attention: Ben Lee; or
 - By hand delivery to Northland Regional Council, 36 Water Street, Whangarei; or
 - By email to BenL@nrc.govt.nz
- [6] All written information, evidence or legal submissions must be in either Microsoft WORD or PDF format. It should be 'unlocked' so that it is able to be easily annotated by councillors as they read it.

EVIDENCE RECORDING

- [7] An audio record of the hearing is to be made available on the Council's website as the hearing proceeds.



Bill Shepherd
Chairman – Northland Regional Council
28 May 2018