

NORTHLAND REGIONAL COUNCIL

HEARING OF RESOURCE CONSENT APPLICATION BY THE FAR NORTH DISTRICT COUNCIL

MINUTE #1 OF THE HEARING COMMISSIONERS

Introduction

1. Mr Antoine Coffin and myself have been appointed by the Northland Regional Council (**NRC**) as Independent Hearing Commissioners to hear and decide the application lodged by the Far North District Council (**the Applicant**) relating to discharges from the Taipa Wastewater Treatment Plant. The application is referenced as AP.004007.01.03
2. The general function of this Minute is to set out some preliminary matters in preparation for the hearing, which is set down to commence at 9 am on Monday 24 June 2019 at the Ramada Resort, 22 Taipa Point Road, Taipa. In particular, the objective of this Minute is to provide directions for a smooth and easily navigable pre-hearing and hearing process for all parties. This requires some action from the parties in the next few weeks in readiness for the formal proceedings.
3. In this respect, this Minute covers the following matters:
 - (a) Evidence preparation and circulation;
 - (b) Hearing process and presentations; and
 - (c) Site and locality visit.
4. It is possible there will be further instructions issued by way of a Minute(s) before and after the hearing. All correspondence between the parties and the Hearing Panel will be facilitated by Ms Alissa Sluys at the NRC. Her contact details are provided at the end of this Minute.

Evidence Preparation and Circulation

5. In accordance with the provisions of the RMA, the pre-circulation of the following is required:
 - The section 42A RMA report prepared by the NRC’s reporting officer;
 - All expert and non-expert evidence of the Applicant;
 - All expert evidence of submitters wishing to attend the hearing; and
 - Supplementary written statements from those submitters not wishing to attend the hearing, but wanting to table material in support of their submissions.
6. The timetable for pre-circulation is as follows:

Time and Date	Action
5 pm, Tuesday 28 May 2019	NRC’s reporting officer section 42A RMA report
5 pm, Friday 7 June 2019	Applicant to provide briefs of <u>expert and non-expert</u> evidence
5 pm, Friday 14 June 2019	All submitters to provide briefs of their <u>expert</u> evidence
9 am, Monday 24 June 2019	Hearing commencement

7. For completeness, any legal submissions are to be presented during the hearing, and there is no need for these to be pre-circulated.
8. We understand that the NRC will collate all pre-circulated evidence and make it available to the parties. Further instructions about accessing this information (including where hard copies of the evidence may be viewed) will be conveyed by the NRC following receipt of all materials.

Hearing Process/Presentations

9. The pre-circulated evidence (both Applicant and submitter) is being distributed to all parties prior to the hearing, and, as such, will be read by us prior to the hearing commencing. This means it will not be necessary for a verbatim oral presentation of the written statements of evidence at the hearing. We direct that each expert witness presenting evidence:
 - be introduced and asked to confirm their qualifications and areas of expertise;
 - confirm the matters of fact and opinion contained in the statements of evidence;
 - identify any corrections to be made; and
 - provide a summary of their evidence to draw attention to key points in their statement of evidence (in particular the reasons for disagreement with any other experts in their field of expertise) - We request that this be limited to no more than two A4 pages.
10. The Applicant's expert witnesses may also provide written rebuttal evidence on other expert statements of evidence provided by another party. We remind witnesses that no new evidence may be introduced, unless it is specifically in response to matters raised in other pre-circulated statements of evidence provided by another party.
11. Non-expert evidence from submitters, including lay evidence or legal submissions, shall be tabled at the hearing and read aloud on the day of the hearing. We remind the parties that we will have also read all submissions received prior to the hearing and therefore discourage submitters from reading their written submissions verbatim. Again, we are happy for submitters presenting to speak to a summary of their submission by either:
 - a separate tabled statement that condenses the key points from evidence (i.e. a couple of pages); or
 - highlighting particular points within their evidence during their presentation.
12. With the above approach in place, we envisage presentations will be in the order of 15 minutes per speaker, though this is not a fixed time requirement. Our intent in signalling this is less a stipulation that speakers rigidly adhere to an imposed time limit, and more a *guide* for those wondering how long their presentation is likely to last. Further time may be required to answer any questions we may have.
13. We want to be clear that all parties (Applicant, submitters and the NRC reporting officer) will be given the time they require to adequately present their views. The main reason in favour of pre-circulation is to minimise the time required for all parties to be present at the hearing itself. This expedited process will not, however, be at the expense of any party's ability to fully participate in the process.

Site and Locality Visit

14. We will be undertaking a general site and locality visit either during the hearing or following it.
15. If any party has a desire for us to visit particular sites/localities associated with the application, they should advise Ms Sluys as soon as practicable.
16. If any party wishes to seek further clarification around this Minute, the hearing process or the proposed timetable, please contact Ms Sluys in the first instance, email: alissas@nrc.govt.nz or phone 0800 002 004.

DATED 3 May 2019



Dr Rob Loeffering
Chair