

**IN THE MATTER of
the Resource Management Act 1991**

AND

**IN THE MATTER of
Hearing of submissions and further
submissions on the Proposed Te Tai O
Poutini Plan**

**MINUTE 2 – HEARING PROCEDURES AND
TIMETABLES**

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PURPOSE

1. If anyone has any questions about this Minute, please contact the Hearings Administrator (see page 17).

INTRODUCTION

2. In Minute 1 we set out the background to the TTPP process. The purpose of this second Minute is to outline the procedures for the hearing of submissions on the Proposed Te Tai O Poutini Plan (the TTPP) and the initial hearings timetable.
3. The Tai Poutini Plan Committee (TTPP Joint Committee), prepared and then publicly notified the Te Tai o Poutini Plan (TTPP) on 14 July 2022. Submissions on the TTPP closed on 11 November 2022, with 534 submissions received. The TTPP Joint Committee notified its summary of decisions requested on 28 April 2023 and the period for further submissions closed on the 17 July 2023. 230 further submissions were received.
4. Hearings are to now commence on 30 October 2023.

MEMBERSHIP AND ROLE OF THE HEARINGS PANEL

5. The TTPP Joint Committee has appointed a five person Hearings Panel of Commissioners under Section 34A (1) of the RMA to hear and make recommendations to the TTPP Joint Committee on the submissions lodged in relation to the TTPP.
6. The Commissioners appointed are:
 - Dean Chrystal, Chair
 - Sharon McGarry
 - Paul Rogers
 - Maria Bartlett
 - Anton Becker
7. All of the Hearings Panel members are accredited in accordance with s39A of the RMA. The Chair and Commissioners McGarry and Rogers hold Chair Endorsement accreditation.
8. The Hearings Panel will hear all the submissions and further submissions and prepare recommendation reports for the TTPP Committee consideration and adoption in respect to the TTPP.
9. The Hearings Panel has the power to make directions on procedural matters relevant to the hearing of submissions and further submissions on the TTPP. The hearing procedures in this Minute, and any future Minutes, are issued by the Hearings Panel, pursuant to those delegations. If the need arises due to any particular circumstances, the Hearings Panel may amend the hearing procedures and issue an updated Minute.

10. All the Commissioners will participate in the hearing of submissions that relate to key sections of the TTPP unless they have indicated a conflict of interest. Otherwise, between one and three Commissioners will sit as separate Hearing Panels for all other hearings.
11. How the initial hearings will be structured, and sequenced and which Commissioners have been assigned to sit on which initial hearings is set out in this Minute. The composition of each Hearing Panel may change through the hearings process.

CONFLICTS OF INTEREST

12. Conflicts of Interest were addressed in detail in our Minute 1 and we restate that all Commissioners will bring an independent and open mind to the role, free of any real, perceived, or potential conflicts of interest that could result in actual or potential bias and or predetermination.
13. Any actual, perceived, or potential conflicts will be recorded on a Register of Interests along with the Commissioner's disclosure of any previous and current involvements and interests. The Commissioners will update the Register throughout the hearing process, as and when any conflicts are identified. The Register identifies how any disclosed conflicts will be managed.
14. The Register will be available on the TTPP Hearings Page prior to the start of the hearings and will be kept up to date through the hearing process.

OVERARCHING HEARING PRINCIPLES

15. The Hearings Panel will seek to ensure that the most appropriate, fair, and efficient hearing process is followed, while complying with the requirements of the RMA.
16. The Hearings Panel will follow a process that:
 - Is appropriate and fair – each Hearing Panel will at all times act in a fair, impartial and transparent manner and ensure that all parties are treated equally.
 - Avoids unnecessary formality - each Hearing Panel will be inclusive and acknowledge the broad range of interests of submitters. They will facilitate a process that provides all parties with the opportunity to hear others and to be heard, whether they are presenting oral or written submissions and/or evidence.
 - Is efficient – each Hearing Panel will conduct an efficient process which minimises time and costs to all parties participating in the hearings. Each Hearing Panel will provide both the reporting officers and submitters with an adequate opportunity to be heard, while at the same time avoiding unnecessary repetition and the presentation of irrelevant material.
 - Recognises tikanga māori and Te Reo – each Hearing Panel will receive written or spoken evidence in Te Reo, if and when requested to do so by a submitter. The Hearings Panel will recognise and provide for tikanga māori in other ways,

as advised by Poutini Ngāi Tahu.

- Recognises New Zealand sign language – each Hearing Panel will receive evidence in sign language, if and when requested to do so by a submitter.

WEST COAST REGIONAL COUNCIL INVOLVEMENT IN THE HEARINGS AND TIMEFRAMES

17. Staff at the West Coast Regional Council and consultants will be involved in the hearings process. These will be:
 - a. Author of the reports prepared under Section 42A of the Resource Management Act.
 - b. Technical staff and other experts providing evidence.
 - c. The Hearings Administrator.

SECTION 42A REPORT AUTHORS AND COUNCIL EXPERTS

18. Section 42A of the RMA provides for preparation of reports summarising and evaluating submissions relevant to a hearing topic and making recommendations on potential amendments to the TTPP in response to submissions. Section 42A Reports will be prepared either by West Coast Regional Council staff or external consultants and supported, where appropriate, by expert evidence. Such expert evidence might also be prepared either by West Coast Regional Council staff or external consultants.
19. Where a particular hearing involves submissions on multiple TTPP chapters, a number of Section 42A Reports may be prepared and publicly released prior to the relevant hearing.
20. The purpose of a Section 42A report is to assist both submitters and the relevant Hearing Panel prepare for the hearing to which it relates.
21. Among other things, each Section 42A report will contain a schedule of the primary submission points it addresses, the author's recommendation in relation to each submission point, and the section of the report where the substance of any submission point that is seeking amendments to the TTPP is addressed (where a number of submissions raise a similar point, they will likely be addressed collectively). Submitters wishing to check whether their submission points are going to be heard in a particular hearing should check that schedule to confirm the position.
22. To assist submitters to plan their preparation for the hearings, an annotated version of the Summary of Submissions with an additional column indicating the Hearing topic each submission point will be heard in will be placed on the TTPP Hearings Page. The allocation of submission points is subject to change as the Section 42A authors finalise their respective reports. Submitters should check the final Section 42A report(s) for each topic, once released, to confirm their understanding of what aspects of their submission will be heard.
23. Section 42A Reports prepared for each hearing, together with any supporting expert

evidence, constitute part of the body of evidence to be considered by the relevant Hearing Panel, alongside the evidence of submitters. All material related to the hearings will be uploaded to the TTPP hearings page.

24. While Section 42A Reports will evaluate all submissions on the relevant hearing topics and make recommendations to the Hearing Panel considering those topics, those recommendations are not binding on the Hearing Panel and carry no greater weight than any other evidence provided by or on behalf of any submitter.
25. Section 42A Reports and any supporting expert evidence will be uploaded to the website not less than 30 working days prior to the hearing to which they relate.
26. Once Section 42A Reports are available online, the Hearings Administrator will contact submitters who indicated they wished to be heard on the relevant topic, providing a link to the relevant Section 42A Report. Hard copies of the Section 42A reports will also be available for submitters to consult in each Council libraries and service centres. If submitters are having difficulty accessing other TTPP materials online, they can contact the Hearings Administrator for support.

HEARING ADMINISTRATION

27. The Hearings Administrator (Tayla Mehrtens) is the 'point of contact' for submitters and the public regarding the hearings. Her contact details are set out below.
28. All communications with the Hearing Panel outside the hearings proper from submitters and their representatives, Section 42A Report writers and expert witnesses must be directed through the Hearings Administrator.
29. The Hearings Administrator will oversee the various administrative tasks needed to ensure an efficient hearing process, including:
 - a. Issuing schedules and hearing notifications.
 - b. Making hearing arrangements, including scheduling submitter hearing times.
 - c. Circulating Hearing Panel Minutes and other directions.
 - d. Circulating evidence and reports for each hearing.
 - e. Handling submitter inquiries.
 - f. Handling public and media inquiries to the Hearings Panel.
 - g. Generally assisting the Hearings Panel with logistical and administrative matters as required.
30. The Hearings Administrator is also responsible for managing the TTPP Hearing Portal to ensure that all necessary information to support an efficient hearing process is available to all participants.

SUBMITTER INVOLVEMENT IN THE HEARINGS AND TIMEFRAMES

31. All submitters who have given notice of their intention to be heard on a hearing topic are entitled to appear at that hearing. Submitters may appear either in person or through their authorised representative. A submitter's case may also be assisted by their bringing expert evidence before the relevant Hearing Panel.
32. Submitters who did not give notice in their submission form that they wished to be heard, but now do so, may seek leave from the Hearings Panel, via the Hearings Administrator, citing the reasons why you now wish to be heard.
33. The Hearings Administrator will be in touch with all submitters, using the method of communication stated on the submission, who have requested to be heard, seeking confirmation of their hearing time requirements (see below for more information about hearing time allocated). If submitters have particular preferences for the day or time they wish to be heard, the Hearings Administrator will endeavour to accommodate those preferences on a first come, first served basis. The Hearings Administrator will compile and upload the Hearings Schedule on the Hearings Portal with indicative times for each party's appearance.

PREPARING FOR THE HEARING AND TIME ALLOCATION

34. Submitters may choose to present their submissions themselves or through their authorised representatives (including but not limited to legal counsel). Such presentations may take the form of submissions/representations or lay evidence. The difference between the two is that submissions/representations advocate for a particular outcome. Lay evidence is an objective statement of fact or opinion on matters relevant to the determination of an outcome. A submitter's presentation may combine both elements, but it is important to be aware and be clear of the difference between the two in your own mind.
35. Submitters have the option of presenting written representations on the day of the hearing, and reading it aloud provided (as above) it is not longer than three A4 pages in length. If submitters have not sent any written material to the Hearings Administrator electronically prior to the hearing, they need to bring ten copies of any written material to the hearing and supply an electronic copy to the Hearings Administrator within two working days of completing their presentation.
36. Unless you specifically ask for longer time, you will generally be allocated no more than 15 minutes to speak. This is because the Hearing Panel will already have pre-read your submission, along with all pre-circulated material.
37. If you do want to have longer than 15 minutes, you will need to make a request to the Chair, via the Hearings Administrator, for additional time to be allocated, with reasons. Those reasons do not need to be extensive. The Chair will seek to ensure that all submitters have the time that they require, within reason, to adequately present their evidence and submissions. However, the Chair will also be mindful of the need for each hearing to proceed efficiently and to be able to deliver its recommendations to the Council in a timely manner.

38. If you are seeking extra time to enable you to call expert evidence, then you will need to advise the Hearings Administrator of the number of expert witnesses and their names and expertise. The same applies if you wish to be represented by counsel presenting legal submissions. If you are calling an expert witness(es), then please refer to the section in this Minute on expert conferencing. Please see below if your submission is seeking a substantial rezoning.
39. Even if your verbal presentation is going to be short, it is helpful to prepare a written statement, as it will help you to focus on the key issues and help the Hearing Panel concentrate on listening to you.
40. Where a number of submitters are presenting a similar position on a particular issue, the Hearing Panel would encourage at least coordination between those submitters. Ideally submitters will nominate a representative to present representations that are common to the group. The Hearing Panel will be much more interested in the cogency of the reasons for a particular amendment to the TTPP provisions than the number of people who appear to make the same point.
41. 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 10 working days prior to each hearing regarding their needs.

LEGAL SUBMISSIONS

42. All legal submissions and any other written presentations that are longer than three A4 pages in length should be provided in electronic form to the Hearings Administrator not less than five working days before the commencement of the relevant hearing.
43. If legal submissions refer to case law, counsel should either insert an electronic link to the cases or provide electronic copies separately.

SUBMITTER EXPERT EVIDENCE

44. An expert is a person equipped by qualification, training and/or experience to provide expert opinion on issues of relevance to the determination of the final form of the TTPP. While most experts will have academic qualifications, that is not a prerequisite. For example, kaumatua and kuia can be deemed experts in mātauranga and tikanga by their Iwi or hapu rather than via a formalized qualification process. Likewise, many people have acquired significant expertise 'learning on the job' or consequent on living in a locality for a long duration.
45. The key thing is for an expert witness to demonstrate to the Hearing Panel both that they have the expertise to advance the opinions they provide, and the ability to act independently of the submitter who calls them to give evidence.
46. As discussed below, experts are required to confirm they agree to comply with the Environment Court Code, which reinforces this point.
47. The extent to which a submitter's case would be assisted by expert evidence will

depend on the nature of the relief a submitter seeks. However, submitters should note that if they seek substantive changes to the notified TTPP, their presentation needs to be accompanied by material which enables the Hearing Panel to undertake an evaluation of their relief under section 32AA of the RMA.

48. Any expert evidence a submitter proposes to call must be pre-circulated in accordance with the timetable for the relevant hearing. This is set out elsewhere in this minute. Expert witnesses should also be prepared to enter into expert conferencing, either on a voluntary basis, or as directed by the Hearings Panel.
49. Where an expert witness is giving evidence for multiple submitters at a hearing, they must ensure that the name of each brief of evidence is clear as to which submitter(s) it relates to.

REBUTTAL EVIDENCE

50. The provision of any rebuttal evidence must be strictly in reply to new evidence that could not reasonably have been anticipated. The admission of such evidence will be a matter for the Hearing Panels discretion. Please refer to the Environment Courts Practice Note 2023 for further information on rebuttal evidence.

DIFFERENT TIMEFRAME FOR TECHNICAL EVIDENCE FOR REZONING SUBMISSIONS

51. For those submissions that seek rezoning proposals (whether upzoning or downzoning) the Hearings Panel will require that these submitters provide any technical evidence that they wish to have considered by Council officers in preparing their Section 42A reports by no later than 90 working days before the rezoning hearings (dates to be advised). Those submitters may wish to provide that evidence in advance of that timeframe. Where technical evidence is provided in advance, this is in addition to presenting submissions and providing legal submissions and expert evidence in advance of the hearing.

SENSITIVE INFORMATION

52. The Hearings Panel has the power to direct that information presented by a party is kept confidential in some circumstances, as per section 42 of the RMA. The duration of such orders depends on the reasons for them being made. In cases of commercial sensitivity, confidentiality protections elapse at the conclusion of the hearings. The Hearings Panel has a broader jurisdiction where serious offence to tikanga Māori or the location of wāhi tapu is involved.
53. If a submitter seeks that the Hearings Panel makes an order of this kind, they need to advise the Hearings Administrator of that, and the reasons for the orders sought, as promptly as possible.

WHEN A SUBMITTER IS UNABLE TO ATTEND

54. Where a submitter or their representative is unable to attend the hearing for a particular topic, they may choose to table written material in support of their submission. Such written material must be provided to the Hearings Administrator not

later than the day before the hearing concerned. Submitters should be aware that tabled evidence may be given less weight because the Hearing Panel has been unable to ask questions of the witness/submitter/representative.

ADDITIONAL EVIDENCE POST HEARING

55. Following the completion of a hearing, the Hearing Panel will not accept additional material on the matters that were the subject of the hearing, other than in exceptional circumstances.
56. Any party wishing to provide additional material following the completion of the hearing will require the approval of the Chair. The party must submit a written request to the Chair which addresses the relevance of the additional material, any potential prejudice to other participants in the hearing process, including Section 42A officers and other Council staff, and any disruption that material may cause to the efficient completion of the hearing process.

PRE-HEARING MEETINGS AND EXPERT CONFERENCING / CAUCUSING

57. Either prior to or following the exchange of expert evidence as detailed above, it may be beneficial for expert witnesses providing evidence relating to a specific topic to confer and attempt to reach agreement on issues, or at least to clearly identify the issues on which they cannot agree, and the reasons for that disagreement.
58. We have provided sufficient time for caucusing and would encourage the parties to do so.
59. Submitters are requested to liaise amongst themselves, along with the Hearings Administrator and with the relevant Section 42A report author, in order to facilitate their respective experts conferencing on matters relevant to their specific areas of expertise for each hearing topic.
60. If expert conferencing occurs, then a Joint Witness Statement (JWS) is to be prepared for each specific area of expertise and be provided to the Hearings Administrator no later than five working days prior to the hearing commencing. The JWS will be prepared by the relevant Council expert witness (or Section 42A report author) unless the experts agree otherwise amongst themselves.
61. The Hearing Panel(s) may request expert conferencing during or after each hearing, together with the preparation of additional JWSs.
62. All expert witnesses, in both preparing and presenting their evidence as well as when attending expert conferencing, are expected to comply with the Environment Court Consolidated Practice Note 2023–Code of Conduct for expert witnesses available at the following website <https://environmentcourt.govt.nz/about/practice-note/>

SITE VISITS

63. The Hearings Panel is likely to undertake site visits in order to better understand the site-specific context of the submissions that have been lodged. While the primary focus

of site visits will be on locations where submitters have sought to be heard, site visits may include visits to land that is the subject of other submissions. Where it is necessary for the Hearing Panel to access private land, a Council Officer assisting the Panel (not one of the authors of the Section 42A Report or a Council witness) will contact the relevant submitter/landowner to arrange access.

64. If any submitter believes it would assist the Hearing Panel to undertake a site visit of their property, they are invited to contact the Hearings Administrator at the latest by the deadline for submitter expert evidence in relation to the relevant hearing. Such requests should be accompanied by advice as to what in particular the submitter wants the Panel to view.
65. It is important to appreciate that the purpose of a site visit is not to gather evidence, but rather to enable the Hearing Panel to better understand the evidence they will hear. Accordingly, site visits are not an opportunity for an informal discussion of issues on site. The Hearing Panel will not enter into discussions on site about the merits of submissions, but they may ask the submitter/landowner to point out particular features on the site that are the subject of a submission(s).

HEARING LOCATION AND SCHEDULE

66. The hearings will all be held at various locations on the West Coast and will commence at 9.00am each day and generally conclude at 5.00pm. The exception is that hearings will usually conclude at 3.00pm on a Friday. Any change in venue will be signaled well in advance of a hearing commencing.
67. The Hearings Panel will hold the hearings based on a series of Hearing Topics.
68. These Hearing Topics have been put together with the objective of, as far as possible, hearing closely related topics and chapters in the same hearing. The intent is that this will reduce the demands on hearing participants, while recognising that some submitters may have to attend and participate in more than one hearing.
69. The Hearings Panel acknowledges that not hearing from submitters one by one on all their submission points may be disruptive to their other work and family commitments. However, the Hearings Panel considers that its approach is the best balance between an efficient and manageable hearing process for all participants.
70. The Hearing Topics, the order that they will be heard, the composition of the Hearing Panel and an indicative date for each topic, are set out in the table below.

Hearing Topic	Topics and chapters	Indicative Hearing Panel Members	Indicative Hearing Dates 2023
Topic 1	Introduction/ Whole Plan	All Commissioners	30 th Oct – 3 rd Nov
Topic 2	Strategic Direction	All Commissioners	30 th Oct – 3 rd Nov

Topic 3	General District Wide Matters	Commissioners Rogers, McGarry and Bartlett	14 th - 15 th Nov
Topic 4	Energy Infrastructure and Transport Contaminated Land and Hazardous Substances	All Commissioners	27 th Nov – 30 th Nov
Topic 5	Notable Trees	Commissioner Rogers	6 th Dec
Topic 6	Contaminated Land and Hazardous Substances	Commissioner Rogers	6 th Dec
Topic 7	Historic Heritage	Commissioners Rogers, Becker and Bartlett	7 th – 8 th Dec
Topic 8	Designations	Commissioner Chrystal	13 th Dec

Hearing Topic	Topics and chapters	Indicative Hearing Panel Members	Indicative Hearing Dates 2024
Topic 8	Noise	Commissioners McGarry, Bartlett and Becker	13 th Feb – 14 th Feb
Topic 9	Natural character of waterbodies and activities on the surface of water	All Commissioners ¹	20 th – 22 nd Feb
Topic 10	Ecosystems and Indigenous biodiversity and outstanding natural landscapes	All Commissioners	4 th – 8 th March and 19 th - -22 nd March
Topic 11	Subdivision, Financial Contributions and Public Access	Commissioners Chrystal, McGarry and Becker	16 th – 19 th April
Topic 12	Sites and Areas of Significance to Māori	All Commissioners	29 th April – 3 rd May & 6 th May – 10 th May

Topic 13	Mineral Extraction	Commissioners Chrystal, McGarry, Rogers and Bartlett	27 th May – 31 st May & 10 th June – 14 th June
Topic 14	Industrial and Commercial Zones	Commissioners Chrystal, Rogers and Becker	1 st – 5 th July
Topic 15	Open Space Zones	Commissioners Chrystal, Rogers and Becker	1 st – 5 th July
Topic 16	Residential Zones	Commissioners McGarry, Rogers and Bartlett	15 th – 19 th July
Topic 17	Rural Zone Policies, General Rural Zone and Rural Lifestyle Zone	All Commissioners ^{1, 2}	29 th July – 2 nd Aug
Topic 18	South Westland Coastal Environment Natural Hazards Zoning	All Commissioners	26 th Aug – 30 th Aug
Topic 19	Coastal Environment, and Natural Hazards	All Commissioners	2 nd Sept – 6 th Sept
Topic 20	Settlement Zone and its Precints	To be confirmed	To be confirmed
Topic 21	Special Purpose Zones	To be confirmed	To be confirmed
Topic 21	Other	To be confirmed	To be confirmed

¹ Commissioner Chrystal will take no part in a specific submission on Mitchells at Lake Brunner.

² Commissioner Becker will take no part in submissions on specific policies in the Rural Zone or the extraction of sphagnum moss.

HEARING FORMAT

71. The Chair is in charge of the progress of the hearing, making directions as required to ensure the orderly conduct of the hearing.
72. Each Hearing topic will follow the following format:
 - a. The Hearing topic will commence and end with a karakia.
 - b. The Chair will introduce the Hearing Panel, cover any preliminary issues, and invite any party wishing to raise procedural issues to do so.
 - c. The Section 42A reporting officers will briefly introduce their topics/chapters, followed by any supporting expert witness. The Section 42A reporting officer(s) may provide a written summary no longer than three pages in length (excluding any revised plan provisions). The Hearings Panel will ask each Section 42A author questions before proceeding to the next.
 - d. Submitters will be heard in the order set out in the Hearing Schedule.
73. There will be no cross-examination of witnesses by other submitters.
74. Following the conclusion of each topic-based hearing, the Section 42A Report authors will provide a written Right of Reply outlining any amendments to their original recommendations, including reasons why. This must be filed within 10 working days of the adjournment of the hearing unless the Chair directs a different timeframe. The Hearings Administrator will upload the Right of Reply to the Hearings Portal. As set out earlier in this minute, the Hearing Panel will not accept any further comment or evidence from submitters on the matters the subject of the hearing without the Chair's specific approval.
75. Hearing Panel recommendations on each topic-based matter will not be released sequentially. The Hearings Panel will release their overall Recommendation Report following the conclusion of the hearings.

ATTENDING ON THE DAY

76. Each submitter will be allocated a time to appear in front of the Hearing Panel. It is recommended that you arrive at least 30 minutes before you are due to speak – partly to provide for the possibility that the hearing may be going quicker than scheduled, but also to enable you to observe the hearing process and get comfortable with the way it works in practice.
77. When it is your turn, the Chair will invite you to come forward with your representatives/witnesses to the table set aside for submitters and invite you to present your case.
78. Each Hearing Panel will provide any expert witnesses you have with the opportunity to speak to a written summary of their evidence, covering the main points. As set out earlier, that written summary should be no longer than three A4 pages. It is not expected that expert witnesses will read the executive summaries in their pre-

circulated evidence. The Hearing Panel will already have read it. Expert witnesses must provide ten (10) copies of any written summary at the time they present to a hearing panel.

79. Counsel representing submitters are also not expected to read their written submission or representations as the Hearing Panel will already have read it.
80. The Hearing Panel may ask questions of you and/or your counsel or witnesses either during or after presentation of your case.
81. You must not interrupt other submitters presenting their cases, or the Council Officers speaking to their reports. If you feel that any aspect of a submitter or Council Officer presentation requires clarification, you should ask the Chair whether that point might be clarified. Such requests should be made following the conclusion of the Hearing Panel's questions of the submitter/Council Officer. The Chair will decide whether clarification should be provided, and if so, what process should then be followed.
82. More generally, your presentation will be more effective if you keep what you say to the Hearing Panel simple and focus on the key points you want to make. Tell the Hearing Panel exactly what changes you want made to the TTPP and why those changes are appropriate. If you support aspects of the TTPP, tell the Hearing Panel that, and why that is.
83. Your evidence at a particular hearing must relate solely to the topic being heard at the hearing. It should not address matters to be heard at a later hearing, or repeat submissions made to an earlier hearing (unless the subject matter of the two hearings overlaps).
84. The hearing is public, and it will be recorded. The recordings will be available online for public viewing.

SCOPE OF SUBMISSIONS AND EVIDENCE

85. For submissions on the TTPP any written statement you prepare explaining your submission to the Hearing Panel cannot go outside the scope of the original submission. In other words, you cannot ask for changes to the TTPP that were not sought either generally or specifically in your submission (or are not somewhere between what you sought in your submission, and the TTPP as notified). Similarly, if you lodged a further submission, you cannot go outside the scope of the primary submission you supported or opposed (i.e. the relief you seek must be somewhere between the relief sought by the primary submission and the TTPP as notified). You can, however, come up with additional reasons why the relief you support is well founded.

VIRTUAL ATTENDANCE AT THE HEARING

86. The Hearings Panel's strong preference is to hear from all hearing participants in person. However, where this is not possible, the participant should liaise with the Hearings Administrator to ensure that virtual attendance can be organised, via Microsoft Teams. The same requirements for attendance at the hearing apply to virtual

attendance; however, at least ten working days' notice is to be provided to the Hearings Administrator to make necessary arrangements. Any request to the Hearings Administrator for virtual attendance is to include the reason that the participant is unable to attend in person.

SUMMARY OF RELEVANT TIMEFRAMES

87. The following table sets out the relevant timeframes for the directions which are contained in this Minute:

	Hearing Step	Timing/Deadline
1.	Expert evidence for any submission seeking a substantial rezoning	<u>Ninety working days</u> before the relevant Hearing topic commences.
2.	Section 42A report	<u>Thirty working days</u> before the relevant Hearing topic commences, but earlier if possible.
3.	Confirm request to be heard, advise preferred timing and where applicable, ask for more time than default 15 minutes (with reasons)	An indicative hearing schedule will be confirmed no less <u>five working days</u> prior to the hearing topic.
4.	Expert Evidence	<u>Twenty working days</u> before the relevant Hearing topic commences.
5.	Requested site visit	<u>Twenty working days</u> before the relevant Hearing topic commences
6.	Legal submissions, written representations longer than 3 A4 pages, and power point presentations	<u>Ten working days</u> before the relevant Hearing topic commences.
7.	Requests to present evidence in Te Reo, Sign Language, or to use audio-visual equipment	<u>Ten working days</u> before the relevant Hearing topic commences, but earlier if possible.
8.	Requests for submitter or specified witnesses to appear virtually (by Teams)	<u>Ten working days</u> before the relevant Hearing topic commences, but earlier if possible.
9.	Expert summaries and written representations 3 A4 pages or less	When you appear.
10.	Tabled Evidence and Representations	The last day of the relevant Hearing topic.

88. Where the Hearing Panel has directed a particular step be taken by a specified date that should be read as 1pm on that date (to give the Hearings Administrator time to load the material provided on the Hearings website and send it to the Hearing Panel that day).

89. If you are later than the stated timeframe, you will need to explain why you are late and seek the Chair's waiver of the breach of the Hearing, through the Hearings Administrator. Such requests do not need to be made with any great formality, but the key issues the Chair will consider is the potential prejudice to other parties (including the Council) and disruption to the hearing process caused by any breach of the hearing directions. Put simply, the later you are, the better the explanation is going to need to be.

WHAT HAPPENS AFTER EACH HEARING CONCLUDES

90. Following the receipt of the Section 42A author(s)' right of reply, each Hearing Panel will deliberate in private. The Hearing Panel will formulate its recommendations on what if any amendments it believes to be appropriate on the Sections of the TTPP the subject of hearing in order to respond appropriately to submissions and further submissions.
91. The recommendation reports of the different Hearing Panels will be released together, as a package, with one exception discussed below. That recommendation package will then be provided to the TTPP Joint Committee to make their decision.
92. The exception is the views the relevant Hearing Panel forms on submissions related to designations. As a matter of law, these take the form of recommendations to the relevant requiring authority (who makes the final decision on those submissions).
93. All submitters will be notified of the Council's decisions (and the decisions of requiring authorities in relation to designations).
94. The decisions on the TTPP are open to appeal to the Environment Court. The Council's public notification of the decisions will include details regarding the appeal process.

ADMINISTRATION

HEARINGS ADMINISTRATOR

95. The Council has appointed Tayla Mehrtens as Hearings Administrator. Her contact details are:

Phone: M: 027 215 2939

Email: tayla.mehrtens@wrcr.govt.nz

HEARINGS PAGE

96. A Hearings Page is available on the TTPP Webpage at TTPP.nz. Information relating to the hearings will be posted on this page.

CORRESPONDENCE

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

SERVICE OF DOCUMENTS

98. All written material (evidence, hearing reports, JWSs and legal submissions) addressed by this Minute must be lodged with the Hearings Administrator in **Microsoft WORD** format by the stated deadline in the hearing notice and email to:

- Tayla.mehrtens@wrc.govt.nz

Or

- PO Box 66, Greymouth, 7840
388 Main South Road, Paroa, Greymouth 7805

99. All written material relevant to the hearings will be posted on the TTPP webpage [Hearing of Submissions - Te Tai o Poutini Plan | West Coast District Plan \(tttpp.nz\)](http://tttpp.govt.nz)

DEVIATION REQUESTS

100. If any participant wishes to deviate from any timetable, or other requirement identified in this Minute, a written request to do so (inclusive of reasons) must be addressed to the Chair and be provided to the Hearings Administrator. The Hearings Panel will consider and determine any such requests.



Dean Chrystal

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

8 August 2023