

**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 40 – Ecosystems and Indigenous
Biodiversity Hearing**

1. Submissions on the Ecosystems and Indigenous Biodiversity chapter of the Proposed Te Tai o Poutini Plan are currently scheduled to be heard during the week beginning the 26th of August 2024.
2. On the 5th of August 2024, the Hearing Panel received the following request of the Te Tai o Poutini Plan (TTPP) Committee:

The Committee asks the Project Manager to remind the Hearings Panel that it had by Minute 14 - 11 January 2023 [sic] postponed the Ecosystems and Indigenous Biodiversity hearing to October 2024 and that it be asked to reschedule the scheduled hearing for end of August 2024 to end of October 2024.
3. The Hearing Panel responded with Minute 36 setting out the implications of a postponement of the hearing and indicating the week beginning the 18th of November 2024 was the only date available to reschedule the hearing.
4. The Hearing Panel asked the TTPP Committee to urgently advise the Hearing Panel if it still requested the August hearing be postponed, considering the consequences outlined in the Minute.
5. The TTPP Committee responded with the following:
 1. *The Hearing Panel be advised that, whilst the implications of the delay as sought are duly noted, it is outweighed by the social and financial implications to the three District Councils of having to proceed with the process of identifying and protecting SNAs:*
 - *at a time that landowners are under a distinct impression that the District Councils are precluded from doing so.*
 - *at a time that the Government, per advice provided even over the past few days, remain [sic] committed to drastically modify the obligation of Councils in relation to SNAs.*
 2. *On that basis, it be confirmed to the Hearing Panel that the Committee still requests the postponement of the August 2024 Hearing on the Ecosystems and Indigenous Biodiversity Chapter of TTPP to the week of 18 November 2024.*
6. The Hearing Panel has considered the request from the TTPP Committee and carefully considered whether any parties to the proceeding may be prejudiced by a postponement of the hearing. We acknowledge that submitters may already have begun to organise flights and booked time. However, as the time for indicating a preferred hearing time has not yet passed, we do not consider there is a significant prejudice in this regard. We also consider signaling a more than three-month delay in the hearing provides sufficient time for submitters to reorganize their schedules if required.
7. Having considered all matters, including those detailed in our exchanges with the TTPP Committee, we have therefore decided to reschedule the Ecosystems and Indigenous Biodiversity hearing until the week of the 18th of November 2024. The first two days of the hearing (Monday 18th and Tuesday 19th) will be held in Westport and the 3rd and 4th days (Thursday 21st and Friday 22nd) in Hokitika. Wednesday the 20th will be an

alternate day should it be required.

8. In fairness to all parties, we do not propose to re-open the receipt of evidence or legal submissions however the date for submitters to specify if they:
 - i. Wish to appear and have a time scheduled at the hearing itself;
 - ii. Wish to appear virtually; and/or
 - iii. Wish to present evidence in Te Reo, Sign Language, or to use audio-visual equipment.

is now the 4th of November 2024.

9. Finally, the Hearing Panel wishes to make it clear that in contrast to the TTPP Committee it is not privy to any Government advice on SNAs and is only aware of what is contained in the Resource Management (Freshwater and Other Matters) Amendment Bill, which we understand is at the Select Committee stage.



Dean Chrystal

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

8 August 2024