

**IN THE MATTER** of the Resource Management Act 1991 (RMA)

**AND**

A Hearing of Application No: RC-2022-0032 Stopbank Raising and  
Construction Waiho River

**DIRECTION 4 FROM THE HEARING COMMISSIONER**

1. I have received a Memorandum of Counsel on behalf of the Applicant (dated 27 June 2023) stating that one of their expert witnesses (Dr Dai Thomas) will not be able to attend the hearing on 28 July in person. There is also some uncertainty as to whether their planning witness will also be able to attend in person. The memorandum requests that arrangements are made to allow these witnesses to present their evidence remotely using an audiovisual link.
  2. Whilst it is generally preferable for all people presenting to the hearing to attend in person, it is understandable that circumstances arise where that can be very inconvenient. During the covid-19 lockdowns the running of hearings where all participants attended through an audiovisual link was widely used, so this should not be an impediment to the running of the hearing. Therefore, I agree that arrangements can be made for those witnesses to attend remotely. I also agree that the timing of when they appear can be adjusted to fit in with the differing time-zones that apply for each witness.
  3. The same accommodation is offered to the submitter if that is required, taking into consideration my preference for in-person attendance where that is not unreasonably inconvenient.
  4. Accordingly, the following directions are made:
    - a. If any witnesses are unable to attend the hearing on 28 July, they can present their evidence by an audiovisual link.
    - b. Counsel for the party who requires this accommodation are to contact Rasela Barrow at the West Coast Regional Council to make the necessary arrangements for the audiovisual link and to indicate the timing for when those witnesses will need to appear.
2. Any enquiries regarding these Directions or the hearing process should be directed to:  
Rasela Barrow  
Business Support Officer  
West Coast Regional Council  
[rasela.barrow@wrc.govt.nz](mailto:rasela.barrow@wrc.govt.nz)



Peter Callander  
**Independent Commissioner - Chair**

**29 June 2023**