

BEFORE THE WEST COAST REGIONAL COUNCIL

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF applications by Taylorville Resource Park Limited for a discharge permit to discharge contaminated water (mixed landfill leachate and stormwater) from a retention pond to land, and to change Condition 11 of its current resource consent RC-2021-0097-V10

MINUTE NO 1 OF HEARING COMMISSIONERS
Dated 29 July 2025

Introduction

1. Commissioners David Caldwell (Chair) and Tony Cussins have been appointed by the West Coast Regional Council (**Council**) to consider and make the decisions on the application by Taylorville Resource Park Limited for the following:
 - (a) Consent to discharge contaminated water (mixed landfill leachate and stormwater) from a retention pond to land; and
 - (b) To change condition 11 of RC-2021-0097-V10:
 - (i) To enable any authorised discharge consents granted by WCRC to contaminate groundwater or surface water outside the site as a result of the exercise of consent RC-2021-0097, and
 - (ii) To update the application site's legal description.
2. I have been appointed to Chair the Panel.
3. The purpose of this Minute is to: provide Commissioner disclosure of interests and potential conflicts; set out the dates for the receipt and circulation of key documents in advance of the hearing; provide an outline of our expectations in terms of how evidence is to be presented at the hearing; to identify our intention regarding a site visit; and set out the hearing procedures.

Disclosure

4. The Commissioners have addressed interests and potential conflicts. That disclosure is **attached** to this Minute and will be updated from time to time if necessary.

The Hearing

5. The hearing has been set down for **Wednesday 3 September 2025** and **Thursday 4 September 2025** (and Friday 5 September 2025 if needed) commencing at 9.00am, at the Council Chamber, West Coast Regional Council, 388 Main South Road, Paroa.
6. The following directions relate primarily to pre-circulation of evidence prior to the hearing and associated matters.

Pre-provision of Evidence

7. We consider that pre-provision of expert evidence will reduce the length of the hearing by reducing the need to have all evidence read. It also enables the focus to be on matters in contention and conflicting opinions.
8. It will also help us to better prepare for the hearing and will enable the reporting officer to consider the evidence of expert witnesses prior to the hearing and to seek further opinion from other Council staff or consultants if necessary.

9. For the above reasons, and pursuant to s41B of the RMA, it is directed that evidence be pre-provided in accordance with the following timetable:
- (a) The Council must make the s42A Officers Report, including supporting technical reports and supporting expert evidence, available to all participants no later than **4pm on Tuesday 12 August 2025**, being 15 full working days before the hearing;
 - (b) The Applicant must provide briefs of evidence to the Council in an electronic form by no later than **4pm on Tuesday 19 August 2025**, being 10 full working days before the hearing; and
 - (c) Any submitter who is intending to call expert evidence must provide the briefs of expert evidence to the Council in an electronic form by no later than **4pm on Tuesday 26 August 2025**, being 5 full working days before the hearing.
10. Briefs of evidence are to be emailed to the Hearing Administrator Tin Nguyen at tin.nguyen@wrcr.govt.nz.
11. Expert evidence is evidence prepared by independently qualified persons such as landscape architects, transportation experts, ecologists and planners.
12. Submitters who do not intend calling expert evidence do not have to comply with the timeframe specified in 9(c) and will be able to present their own evidence at the hearing. Submitters are of course entitled to present their submissions themselves or through authorised representatives. Submitters have the option of presenting their written submissions and other materials on the day of the hearing and reading that out loud. If submitters have not sent that written material to the Hearing Administrator electronically prior to the hearing, they will need to bring **ten** copies of any written material to the hearing and supply an electronic copy to the Hearing Administrator within two days of completing their presentation.
13. Generally, submitters who are not calling expert evidence will be allocated 15 minutes to speak. If the presentation is anticipated to take longer than 15 minutes, that must be raised with the Hearing Administrator to enable additional time to be allocated.

Experts Summary of Key Points

14. We advise the Commissioners intend to read all expert evidence in advance of the hearing and will not require it to be read in full. We direct that all experts (including the reporting officers) provide a summary of the key points of their evidence which will be read at the hearing. To be of benefit, the summaries should focus on key assumptions, methodology, conclusions and reasons for those conclusions. It would be particularly helpful if areas of agreement and disagreement can be identified and summarised.
15. Legal submissions do not need to be pre-circulated and can be presented at the hearing.

16. Once the evidence is provided, we will consider any request for conferencing of expert witnesses.

Site Visit

17. We are intending to undertake a site visit on the afternoon of Tuesday 2 September 2025. In addition to the site, if there are any particular locations or viewpoints that submitters would like us to visit, then that should be provided to the Hearing Administrator ten working days prior to the commencement of the hearing.

Hearing Procedures

18. The hearing will commence at 9.00am each day and will generally conclude at 5.00pm.
19. Breaks will be held for:
- (a) Morning tea at approximately 10.30-10.45am;
 - (b) Lunch at approximately 12.30-1.30pm; and
 - (c) Afternoon tea at approximately 3.00-3.15pm.
20. The general order of hearing will be:
- (a) Introduction and any procedural/housekeeping matters;
 - (b) Applicant's submissions and evidence;
 - (c) Submitters;
 - (d) s42A Report authors; and
 - (e) Applicant's right of reply (either at the hearing or in writing thereafter).
21. If there are any issues arising from this Minute and the directions, they are to be raised, at the earliest convenience and in writing, through tin.nguyen@wcrc.govt.nz.



David Caldwell
Chair for and on behalf of the Commissioners

Dated: 29 July 2025

RC2024.0122 AND RC2021.0097.V10 – COMMISSIONER INTERESTS REGISTER AS AT 29 JULY 2025

List of potential parties involved in hearing:

- (a) Taylorville Resource Park Ltd, Greymouth (the applicant)
- (b) ENGEO (Christchurch based consultancy assisting TRPL in landfill/water expertise)
- (c) Barker & Associates (Planning consultancy assisting TRPL)
- (d) BioResearches (Ecology experts subcontracted by ENGEO/Barker & Associates)
- (e) Grey District Council (affected party and submitter)
- (f) Tonkin & Taylor (technical consultants for GDC)
- (g) Ngāti Waewae (affected party and submitter)
- (h) Sewell Peak Farming Ltd (affected party, neighbouring farm to TRPL)
- (i) Quadrello Holdings Ltd (affected party and submitter, neighbouring land owner to TRPL)
- (j) Adrian Van Dorp and Christine June Mehrrens (affected party and submitter, neighbouring private land owners to TRPL)
- (k) Michael Durand, PlanZ Planning Consultant (reporting officer for WCRC)
- (l) Carl Steffans and Duncan Gray (PDP consultants appointed by WCRC)

Commissioner	Potential Conflict	Discussion	Action Taken
David Caldwell	I have no conflicts to declare	I do not have any conflicts on the information provided. As a barrister, I practice out of Chambers in Christchurch, and as an independent Hearings Commissioner I am familiar with Tonkin & Taylor, PDP and PlanZ as individuals from those organisations have, or may have, appeared before me when I have been sitting as a hearing commissioner, and a director of PlanZ is sitting with me on a Panel on an unrelated matter. I do not consider there to be anything which would give rise to an actual, potential or perceived conflict or bias.	Disclosure undertaken, No further actions need to be taken.
Tony Cussins	Refer to discussion	I am aware that T+T consultants were commissioned by Grey District Council (GDC) in 2024 to provide a groundwater report assessing any threat from TRPL landfill activities to the Coal Creek water supply owned and managed by GDC. I have had no involvement in this engagement. I was unaware, but have been informed by WCRC (Mr Selva Selvarajah, email dated 20 July 2025), that GDC recently engaged T&T as its consultant to assist in technical advice on the TRPL applications, lodging submission and providing technical advice/evidence at the hearing. I have resigned from Tonkin + Taylor, effective from 18 July 2025. Accordingly, I have not, and will not in the future, have any contact or association with T+T in relation to this application.	Disclosed as identified in discussion
		I have no conflict of interest issues arising with respect to the above parties (<i>a-e and g-l</i>). It is my considered professional opinion that there is no conflict of interest in regard to this appointment, and a perceived conflict of interest (if any) can be appropriately addressed through full disclosure within a register of Panel Members' Interests.	Disclosure undertaken. No further actions need to be taken.