

Proposed Regional Land and Water Plan

Plan Change 1

MINUTE OF HEARING COMMISSIONERS

Preparation and notification for reconvening hearing

(Minute 4)

**INTRODUCTON**

1. The first stage of the Hearing for proposed Plan Change 1 (pPC1) to the Regional Land and Water Plan was held between the 18th and 19th June 2018 at the West Coast Regional Council offices in Paroa, Greymouth. On 20th June the hearing panel undertook two sites visits to wetland areas to gain a better understanding of the issues at hand. At the completion of the staff right of reply on 21st June, the hearing was adjourned as it became apparent to the hearing panel, after having carried out the aforementioned site visits and receiving the staff right of reply, that further information was required to make a fully informed and robust decision on those submissions that seek amendments to the wetland boundaries. This resulted in the hearing panel commissioning a report (pursuant to Section 41C (4) of the Act) from an appropriately qualified person (the Assessor) to determine whether the wetland boundaries under submission are correct as notified in the pPC1. The report was completed and the assessments followed the same process described in Minute 2: Further Information Requirements, as found on the Proposed Plan Change 1 Hearing website page (<https://www.wcrc.govt.nz/publications/regional-plans/regional-land-and-water-plan> ).
2. Council’s Planning staff then considered the information and recommendations in the commissioned report titled “Schedule 2 Wetland Boundary Review”. In response to this report staff completed a December 2018 Section 42A Staff Recommending Report making recommendations on submission points relevant to the 13 Schedule 2 wetlands covered by the Boundary Review Report. On the 31 January 2019 the Council reconvened the hearing as required under the Resource Management Act 1991 to hearing submitters evidence in support of, or in opposition to, recommendations made in the December 2018 Section 42A Staff Recommending Report.
3. At the January 2019 hearing, evidence was supplied by submitters that questioned the consistency, quantity and strength of evidence presented at the hearing. Therefore the hearing panel requested the Department of Conservation Ecologist and the Assessor undertake expert caucusing to determine the wetland status of the eight outstanding wetland areas. The Schedule 2 wetland areas being:
	* BULP050 Oweka,
	* PUNP001 Barrytown Flats, Maher Swamp,
	* HOCP004 Candlelight Pakihi,
	* KAGP008 Lake Kini,
	* HOKP119 Lake Mudgie,
	* HARP021 Lake Ianthe
	* HOKP099 Little Houhou Creek
	* HOKP086 Ross
4. The Council has received the evidence from the expert caucusing on the eight Schedule 2 wetland areas. Note the Evidence has been supplied in three documents:
* File dated 20 March 2019,
* Department of Conservation File Note dated July 7 2019, and
* Map titled “HOKP119 – Recommended Adjustments”.
1. In response to this evidence, staff have completed the September 2019 Section 42A Staff Recommending Report making recommendations on submission points relevant to the eight Schedule 2 wetlands covered by the Evidence.
2. The Council is required under the Resource Management Act 1991 to reconvene the hearing on Plan Change 1 to hear submitters evidence in support of, or in opposition to, recommendations made in the September 2019 Section 42A Staff Recommending Report.

**NOTICE OF HEARING**

1. Notice is hereby given by the West Coast Regional Council that a hearing has been set to consider the submission points relevant to the eight Schedule 2 wetlands covered by the evidence.

COMMENCING DATE: 16 September 2019

VENUE: West Coast Regional Council Chambers, 388 Main South Road, Paroa, Greymouth

TIME: 10:00am.

**DIRECTIONS**

Website

1. The Evidence, the September 2019 Section 42A Staff Recommending Report, and all other relevant information regarding the reconvened hearing for Plan Change 1, is available on the Council’s website: <https://www.wcrc.govt.nz/publications/regional-plans/regional-land-and-water-plan>
2. Submitters who wish to be heard will need to check the website for that information.

Submitters

1. Only Submitters who submitted on one or more of the eight Schedule 2 wetlands addressed in the Evidence can provide evidence in response to this Evidence and the September 2019 Section 42A Report, at the Hearing.
2. The Council has notified these submitters in writing.

Service on the Council

1. Any information or evidence required under this Minute, and any memorandum on application to the panel, may be sent:
2. In writing, addressed to West Coast Regional Council at PO Box 66, Greymouth, 7840 and marked for the attention of Alyce Melrose, Policy Planner, Plan Change 1, RLWP.
3. By delivery to West Coast Regional Council, 388 Main South Road, Paroa, Greymouth.
4. By email to alycem@wcrc.govt.nz with “Policy Planner, Plan Change 1, RLWP” in the subject heading.

Confirmation of wish to be heard

1. Submitters who wish to be heard at the public hearing must confirm their intention no later than Monday 9 September 2019, and advise:
	* The amount of time they want for speaking to their submission and/or call evidence.
	* Whether they have any particular technological requirements to assist with their presentation.
	* Whether they intend to call expert evidence (including any planning witness).

The Public Hearing

1. The public hearing will commence at 10:00am on 16 September 2019 at the West Coast Regional Council Chambers, 388 Main South Road, Paroa, Greymouth.

Hearing Schedule

1. A hearing schedule will be e-mailed to submitters and posted to the website showing the location, time, date, sequence and time allocation granted to each submitter.
2. Time allocations will be set in light of the time estimate provided by the submitter.
3. Submitters should arrive at the hearing 15 minutes before their scheduled time to ensure continuity in the hearings process. Earlier submitters may finish ahead of schedule, enabling the next submitter to present earlier than anticipated.

The Hearing Procedure

1. The Hearing Commissioners are required to conduct the public hearing in a manner which is appropriate and fair, and without unnecessary formality. We will receive evidence written or spoken in te reo Maori or New Zealand sign language. You must inform the Council of the intention to use te reo Maori or New Zealand sign language at least five [5] working days prior to the hearing so that an interpreter can be arranged.
2. The Hearing Commissioners will read submissions and evidence prior to the hearing, and take them as read, so time allocations will be fixed to enable submitters to speak to their submission and/or provide responses to new issues that may have arisen.
3. An audio recording of the hearing will be maintained but there will be no transcription.
4. Any questions the Panel may have on the section 42A Report will be provided to staff by Wednesday 4 September and will be put onto the Council’s website. The first part of the hearing will be dedicated to the presentation of the section 42A Report prepared by staff. Questions from the panel on the section 42A Report will be asked at this stage of the hearing.
5. Submitters will not be permitted to cross-examine witnesses or staff, but the Hearing Commissioners may question submitters and witnesses. Staff may ask questions for clarification purposes only.
6. The Hearing Commissioners may seek further information from the parties during the course of the hearing where it is considered necessary and appropriate to do so. This may include seeking legal advice. Any such requests shall be made in the public forum and the response will be presented in the public forum.
7. Once all submitters have been heard, the section 42A report writers will be given the opportunity to review their recommendations. They may also be asked questions by the panel in relation to issues that have arisen during the hearing. This will occur within the public hearing forum.

Deliberations

1. Following the close of hearings, the Hearing Commissioners will enter into deliberations. This will be done in-committee (i.e. in private). The Hearing Commissioners will then make recommendations to the Council on amendments to the proposed Plan Change as a result of submissions, further submissions and the hearing. Council will consider the recommended amendments and make its decisions in-committee.
2. All submitters and further submitters will be notified of the release of decisions. If you are not satisfied with Council’s decision on your submission, you can appeal all or part of the decision to the Environment Court.

**KEY CONTACT**

If you have any questions about the hearing process, please contact Alyce Melrose by phone on 0508 800 118 ext. 8212 or by email at alycem@wcrc.govt.nz.

Issued by the Hearing Commissioners:

Allan Cubitt (Chairperson)



Terry Archer

Andrew Robb

30 August 2019