

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

AND

IN THE MATTER of the **PROPOSED WAIKATO REGIONAL COASTAL PLAN**.

DIRECTION (1) FROM THE HEARING PANEL

HEARING PROCESS, DATES AND EVIDENCE EXCHANGE

1. Pursuant to sections 34 and 34A of the RMA, Waikato Regional Council (the Council) has appointed a Hearing Panel consisting of Independent Hearing Commissioners - Greg Hill (Chairperson), Vicki Morrison-Shaw and Hugh Leersnyder, and Councillors Warren Maher and Stuart Kneebone (sitting as Commissioners). The Hearing Panel's function is to hear and make recommendations to the Council on the submissions made to the Proposed Plan. The delegations also include addressing any procedural matters.
2. This Direction sets out a number of procedural matters relating to the hearings. These include:
 - the hearing start date, location(s) and other procedural matters relating to the hearings;
 - the date the Council's section 42A reports will be available;
 - the evidence exchange dates (both expert and non-expert);
 - a request for providing opening legal submissions ahead of the hearings; and
 - an indication that expert conferencing may be held.

Hearing Matters

3. The hearing of submissions is scheduled to commence on **Monday 17 February 2025, at 9.30 am**, in Hamilton. A procedural opening hearing, to address any process related matters, is likely to be scheduled prior to 17 February 2025. No date has yet been scheduled for this, but once known the Hearing Panel will issue a further Direction.
4. The majority of the hearings will be held in Hamilton. However, alternative locations will be considered should there be significant demand from submitters in a particular location(s).
5. The hearings will likely run until **mid/late April 2025**. A detailed hearing schedule will be prepared later setting out the days, times and venue(s) of the hearings, as well the submitters to be heard on each of those days. This will be completed and made public once the Hearing Panel has a better understanding of how many submitters wish to be heard, and how much time is sought to present their submissions and evidence (see below).

6. The hearing format will be in person, with the ability for submitters to present virtually (by remote facilities) if that is their preference. The hearings are public and anybody can attend in person to observe them.
7. The Council has contracted an independent Hearings Administrator, Mr Steve Rice. He¹ will make contact with each submitter who indicated in their submission that they wished to be heard, and ask:
 - Whether you still wish to be heard;
 - If you are not able to travel to Hamilton to present in-person, whether you would like to present 'virtually' (by remote facilities), or would prefer a venue closer to your location, and if so where²;
 - How much time you request to present your submission or evidence (see more on this below);
 - Whether you intend to be represented by legal counsel and/or to call expert witnesses (e.g. economist, heritage and transport experts, planning)³; and
 - If you do intend calling expert witnesses, their respective disciplines (to assist with setting up any expert conferencing sessions).
8. Any submitter who has indicated they do not wish to be heard, will still have their submission considered by the Hearing Panel. If you now wish to be heard, having indicated on your submission form that you do not, please advise the Hearing Administrator.
9. Once the Hearing Panel knows how many people wish to speak, and for how long, we may issue a further Direction addressing submitter time allocation⁴. The Hearing Panel will endeavour, wherever possible, to accommodate each submitter's time and date preferences, but this may not always be possible due to the number of submitters wishing to speak, the number of hearing days and the need to run an efficient hearing process.
10. Section 42A of the RMA provides that the Council may prepare a report on the matters to be considered. Any such report will be provided prior to the hearing. Section 41B of the RMA provides that the Council may direct that evidence from any expert be provided before the hearing.
11. Accordingly, the Hearing Panel directs as follows:

¹ Or someone from Rice Resources Ltd, delegated by Mr Rice.

² Noting paragraph 4 above.

³ You are not required to have legal counsel or expert witnesses, and can speak to your submission at the hearing if you have indicated an intention to appear at the hearing.

⁴ Section 41C of the RMA (Directions and requests before or at hearings) enables the Hearing Panel to:

(1) before or at the hearing, the authority may—

(d) direct a person who has made a submission, when presenting evidence or a submission, to present it within a time limit.

- (a) Pursuant to section 42A of the RMA, the section 42A hearing reports are to be made available to the parties and on the Council’s website no later than **5.00pm, Monday 14 October 2024**.
 - (b) Submitters’ expert evidence (evidence given by a professional with specialist qualifications and experience) is to be emailed to the Hearings Administrator (at the email address below), no later than **midday, Friday 1 November 2024**. It will then be made available to parties on-line no later than **5.00pm, Friday 1 November 2024**⁵.
 - (c) Any rebuttal evidence is to be emailed to the Hearings Administrator (at the email address below), no later than **midday, Thursday 19 December 2024**. It will then be made available to parties on-line no later than **5.00pm, Thursday 19 December 2024**.
12. While these Directions do not apply to lay or non-expert statements/evidence, the Hearing Panel would appreciate any written statements by submitters to be provided to the Hearings Administrator (at the email address below) preferably **no later than 5 working days before the particular hearing**.
13. The Hearing Panel also encourages parties to pre-circulate any **opening legal submissions** in advance of the hearing, to be provided to the Hearings Administrator (at the email address below) preferably **no later than 5 working days before the particular hearing**. The Hearing Panel and other parties will be assisted if the legal submissions can be pre-read.
14. The purpose of these Directions is to provide the opportunity for the Hearing Panel and the other parties to have read and considered any legal submissions, evidence or statements in advance of the hearing, to assist in understanding the case being presented. As the Hearing Panel will have read all the pre-circulated material before the hearing, there will be no need for it to be read out. An executive summary may be read out or the key points highlighted.

Expert Conferencing

15. The Hearing Panel indicates that it may direct expert conferencing (an expert is a professional with specialist qualifications and experience in a relevant discipline). The details of this, including the likely topics, will be set out in a separate Direction.

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16. Any enquiries regarding these Directions or related matters should be directed to the Council’s Hearings Administrator, Mr Rice, at steve@riceres.co.nz or 021 1912346.

⁵ This timing is to allow sufficient time for any expert conferencing to occur.

Greg Hill .

Greg Hill Chairperson
27 June 2024