

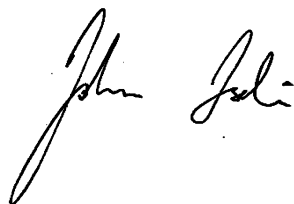
Under the Resource Management Act 1991

IN THE MATTER OF an application by NCI Packaging (NZ) Limited (WGN190198) to the Wellington Regional Council to discharge contaminants to air associated with the operation of a steel and aluminium can manufacturing plant, which includes coating processes.

Minute and Directions of Hearing Commissioners J Iseli and T Nash

1. We have been appointed by the Wellington Regional Council as commissioners under Section 34A of the Act to hear and decide the application lodged by NCI Packaging (NZ) Limited (the Applicant).
2. The hearing of the application is scheduled to be held at Upper Hutt on 4th August 2021.
3. It has been brought to our attention that the Applicant has not filed briefs of evidence within the time limits set down in Section 41B(2) of the Act. The applicant has requested that an extension of the time limit for filing evidence be allowed.
4. We consider that the time limit set down by the Act can be waived in this case, provided that the applicant's briefs of evidence are provided to the Regional Council for distribution by 5pm on Tuesday 27th July 2021. That timing will allow five working days for the parties and commissioners to review the evidence prior to the hearing. In reaching this conclusion we have considered the requirements of Section 37A of the Act, including the interests of all the parties, the interests of the community in achieving adequate assessment of effects, and our duty to avoid unreasonable delay. We are aware that the submitters are not intending to call expert evidence.
5. We note that we have been delegated the power to hear, consider and make decisions on the application under the Act, including the determination of any preliminary matters and matters necessary for the conduct of the hearing. We also recommend that the Council formally waives the time limits set down in Section 41B(2) of the Act in accordance with its internal officer delegations.

6. Accordingly, we direct the Applicant to provide briefs of evidence to the Council by 5pm 27th July 2021. The Council will distribute that evidence to the parties.
7. We will have reviewed the Applicant's evidence prior to the hearing and therefore will not require that evidence to be read in full. Rather, the Applicant's witnesses are directed to present a brief written summary of their evidence and to answer questions regarding their evidence in chief.
8. We will conduct a site visit prior to the hearing, during the afternoon of Tuesday 3rd August. In terms of order of appearance, the applicant's case will be presented first, followed by the submitters and the officer. We will endeavour to complete proceedings by 4:30pm on Wednesday 4th August if possible and encourage parties to be succinct and efficient in their presentations. However, there is scope to extend or reconvene the hearing if necessary.
9. The parties are instructed to address any questions regarding the hearing process to Anna McLellan at the Regional Council who can be contacted by phone (04 830 4346) or email (Anna.McLellan@gw.govt.nz).

A handwritten signature in black ink, appearing to read 'John Iseli'. The signature is written in a cursive style with a large initial 'J'.

John G Iseli
Independent Commissioner (Chair)

Dated 26th July 2021