

WELLINGTON REGIONAL COUNCIL

PROPOSED CHANGE 1 TO THE WELLINGTON REGIONAL POLICY STATEMENT

MINUTE 3

TIMETABLING DIRECTIONS FOR HEARING STREAM 2 AND FUTURE HEARINGS

1. This Minute:
 - sets out general timetabling directions for all hearing streams from Hearing Stream 2 onwards, and
 - has been issued jointly by the Part 1 Schedule 1 (P1S1) panel and the Freshwater Panel appointed to hear submissions on Proposed Change 1 to the Wellington Regional Policy Statement.

2. Further to sections 41B and 41C of the RMA (for the P1S1 Hearing Panel) and clause 48 of Schedule 1, Part 4 of the RMA (for the Freshwater Hearing Panel) and in order to ensure an efficient, appropriate and fair hearings process, the Panels make the following directions regarding pre-lodgement of evidence and presentations at hearings:
 - a. The **Notice of Hearing** for a hearing stream will be available on the Regional Council's website at least 20 working days prior to each Hearing Stream commencing. For example, for hearings commencing at 9.30am on a Monday morning, the Notice of Hearing will be on the Council's website by 9.30am Monday, 4 weeks prior.
 - b. The **section 42A report/s** for each Hearing Stream will be available at least 20 working days prior to hearings for that stream commencing.
 - c. **Greater Wellington's evidence and legal submissions** must be lodged at least 15 working days prior to hearings for that Stream commencing.
 - d. All **submitter and further submitter evidence, including expert evidence and any legal submissions**, must be lodged at least 10 working days prior to hearings for that Stream commencing. A submitter may present a joint legal submission with another submitter if they wish.
 - e. **Submitters** must advise the Hearings Manager at least 10 working day prior to hearings for that Stream commencing if they wish to **talk to their submission at the hearing**. A submitter may present their submission jointly with another submitter if they wish and should inform the Hearings Manager accordingly.
 - f. Submitters are encouraged to email the Hearings Manager with any **presentation slides** (PowerPoint etc) and any **talking points or submission summaries** at least two working days prior to their allocated presentation time. These will be uploaded to the Hearings Page. Please note that submitters, experts or counsel are not able to provide USB sticks or similar on the day of the Hearing for computer security reasons.

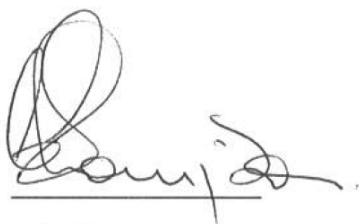
- g. Any **rebuttal evidence** by Council must be lodged at least 5 working days prior to hearings for that Stream commencing.
- h. The Hearings Manager will publish the **Hearings Schedule** on the Regional Council's Hearings Page at least 5 working days prior to hearings for that Stream commencing.
- i. After opening formalities, each Hearing Stream will commence with an **oral presentation by the section 42A** report writer/s followed by counsel for the Regional Council presenting their legal submissions. The reports and submissions will have been pre-read by the Panel/s and so it is sufficient for the s 42A report writers and counsel to provide an overview or summary of key points at the Hearing. Each presentation should take no longer than 10 minutes. If additional time is required, the Hearings Manager should be advised in writing.
- j. Each submitter will then **present their submission/further submission** within a 10-minute time limit and according to the timetable set out in the Hearing Schedule. Where any changes are required to the Hearings Schedule, these will be accommodated as best as possible by the Hearings Manager. Any expert witnesses called by the submitter may present for all or part of the 10- minute presentation time limit. Submitters may ask the Hearings Manager for additional time to present. The Hearings Manager will accommodate these requests where it is possible to do so within the timeframe allocated for each Hearing Stream.
- k. Submitters may present **in person or on-line**.
- l. After hearing submissions and/or evidence, **Panel members may ask questions** of the submitters and/or experts.
- m. In respect of Freshwater Planning Instrument provisions, **the Freshwater Hearing Panel may permit cross-examination** by any submitter/further submitter in accordance with clause 48 of Schedule 1 RMA, Part 4. Cross-examination can only be undertaken by leave of the Freshwater Hearing Panel. Applications for leave must be made in writing to the Panel through the Hearings Managers and be lodged at least 15 working days prior to the relevant Hearing Stream commencing. The application must specify the topic or issue for which leave is sought to cross-examine and the time sought to be allocated for cross-examination.
- n. **Cross-examination is not permitted in respect of non-freshwater provisions.**
- o. Once all submitters have presented, the relevant **section 42A report writer** will be asked to briefly make any **points of clarification** they wish to make in light of hearing submissions and evidence.
- p. The **Council's right of reply (section 42A report writers' reply, evidence or submissions (if any))** must be filed within 5 working days after the last submitter in the Hearing Stream has presented their submission. The right of reply should be limited to responding to new information raised by submitters in their presentations, or in response to panel questions.

- q. If parties wish to present **evidence or submissions in Te Reo Māori**, or if they require **sign language services**, they must advise the Hearings Manager at least 15 working days prior to the relevant Hearing Stream commencing so that appropriate translation services can be arranged. Notification is not required if Te Reo is solely for the opening or closing of the presentation.
- r. Wellington Regional Council intends to **livestream** all hearings.
- s. Council staff may arrange **site visits** for the Panel/s if considered necessary by the Panel/s.


Service on Council

- t. Any evidence or information required by this Minute, and any memorandum or application to the Freshwater Hearings Panel and/or P1S1 Panel should be lodged by email to regionalplan@gw.govt.nz.

Dated: 16 June 2023



Craig Thompson
Chair
Freshwater Hearing Panel



Dhilum Nightingale
Chair
Part 1, Schedule 1 Hearing Panel