

Southland Regional Council (Environment Southland)

Proposed Southland Water and Land Plan

MINUTE AND DIRECTIONS OF HEARING COMMISSIONERS

Minute 14

INTRODUCTION

1. This Minute contains the Hearing Panel's decision on a request for additional speaking time at the hearing for Southland District Council, Invercargill City Council and Gore District Council (collectively "the councils") and their witnesses and counsel.
2. Thirteen previous Minutes have been issued by the Panel. A list of these Minutes is attached in Appendix 1.

REQUEST BY THE COUNCILS

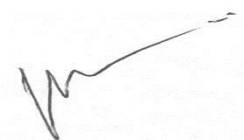
3. In Minute 6, the Panel directed speaking times for submitters and witnesses. This was in response to the large number of submitters wishing to be heard.
4. On 21 April 2017 the Panel received a request from the councils outlining their request for additional speaking time at the hearing. Further communication with the councils on 1 and 8 May 2017 clarified the details of their request. The Councils have requested the following speaking times:
 - a. Southland District Council (calling five witnesses)
 - b. Invercargill City Council (calling five witnesses)
 - c. Gore District Council (calling two witnesses)
 - d. Two witnesses on behalf of all three councils
5. Additionally, one legal counsel will appear on behalf of all three councils.
6. The Councils set out the following reasons for the request:
 - a. The extent of the councils' submissions and the matters raised in their submissions;
 - b. The significance of the impacts on the councils' operations and the communities they serve;
 - c. The councils' interests in the process are greater than the general public, are substantial and complex.
7. The councils have advised that they intend to call 14 witnesses and one legal counsel (15 people in total). The Panel appreciates that on that basis, even with evidence being pre-read, if the councils commenced at 9.00am their combined case could run well into mid to late afternoon so we consider it reasonable to allow a full day for them as requested.

MINUTE 6

8. In their most recent correspondence, the councils also questioned what lawful authority is relied on to require non-expert evidence to be filed by 12 May 2017 and noted that they reserve their position on whether that direction is valid.
9. Under section 39 of the Resource Management Act 1991, the Panel has the power to establish a procedure that is appropriate and fair in the circumstances. The Panel considers that section 41B does not preclude the Panel from issuing different directions as to the timetable, where appropriate and fair. After considering the scale and significance of the hearing, the Panel considered that the exercise of this power was appropriate.

DIRECTIONS

10. The Panel has considered the councils' request and agrees to grant the councils a full hearing day which is likely to be scheduled for September 2017.



Rob van Voorthuysen (Chair) for and on behalf of the Hearing Panel

11 May 2017

Appendix 1 – Record of Minutes Issued

Minute Number	Date Issued	Purpose
1	10 October 2016	Late submissions
2	15 December 2016	Transpower waiver application
3	16 February 2017	Late further submissions
4	10 March 2017	Hearing panel conflict of interest
5	28 March 2017	Response to memorandum of Counsel for Ngāi Tahu about cultural evidence
6	6 April 2017	Notice of hearing and procedural matters
7	13 April 2017	Decision on extension request from Fish & Game
8	13 April 2017	Decision on extension request from Ngāi Tahu
9	13 April 2017	Decision on extension request from Beef + Lamb
10	13 April 2017	Decision on extension for all submitters
11	27 April 2017	Decision on extension request from Federated Farmers
12	3 May 2017	Decision on extension request from Chris Hansen
13	9 May 2017	Decision one extension request from Alistair and Bernadette Hunt
14	10 May 2017	Decision on request for additional speaking time from the councils