

Southland Regional Council (Environment Southland)

proposed Fiordland Marine Regional Pathway Management Plan

pursuant to the
Biosecurity Act 1993

**MINUTE AND DIRECTIONS OF HEARING PANEL
on preparation for hearing of submissions**

[Minute 1]

INTRODUCTION

At its meeting on 3 August 2016 the Southland Regional Council (**Council**) under clause 32 of Schedule 7 of the Local Government Act 2002 appointed us as the Hearing Panel on the proposed Fiordland Marine Regional Pathway Management Plan (**Fiordland Marine Regional Pathway MP**).

The Council delegated to us all the powers, functions and duties of the Council set out in sections 91 to 94 (excluding section 92(5)) and section 95(1) and 95(2) of the Biosecurity Act 1993 in relation to the proposed Fiordland Marine RPMP. These include the functions and duties of hearing submissions on the proposed Fiordland Marine RPMP and of making recommendations to the Council on the Fiordland Marine Regional Pathway MP.

The members of the Hearing Panel are:

- Maurice Rodway (Chair)
- Ross Cockburn
- Peter Jones

NOTICE OF HEARING

Notice is hereby given that a hearing by the Southland Regional Council has been set to consider the proposed Fiordland Marine Regional Pathway Management Plan (**Fiordland Marine Regional Pathway MP**) and submissions received on the proposed Fiordland Marine Regional Pathway MP.

The date, time and venue for the hearing of submissions is set out below:

Location: Invercargill

DATE: 15 September 2016

VENUE: Environment Southland, Cnr North Road and Price Street, Invercargill

TIME: 9:00am

DIRECTIONS

Staff Report

Staff are directed to prepare a Staff Report containing:

- A summary of submissions received on the Fiordland Marine Regional Pathway MP, highlighting key issues raised in submissions.

The Staff Report will be made available on the website on and from 26 August 2016.

Staff are also directed to supply to submitters, and make available on the website on and from that date, a copy of the report containing the assessment of why the proposed Fiordland Marine Regional Pathway MP meets the requirements of section 90 and the criteria of section 91 of the Biosecurity Act 1993.

Website

All information relevant to the hearings will be made available on the Council's website:

www.es.govt.nz

Submitters who wish to be heard are advised to view that information on the website.

Service on the Council

Any information or evidence required by this Minute, and any memorandum or application to the hearing Panel, may be lodged:

- in writing, addressed to Environment Southland, Private Bay 90116, Invercargill 9840 marked for the attention of the Hearings Officer, Fleur Matthews; or
- By delivery to Environment Southland, Cnr North Road and Price Street; or
- By email to service@es.govt.nz.

Confirmation of wish to be heard

Submitters who wish to be heard at the public hearing are to confirm by email to service@es.govt.nz their intention no later than 2 September 2016, and to advise:

- The time allocation they want to speak to their submission and/or call evidence;
- Whether they have any special needs (e.g. projector and screen);
- Whether they intend to call expert evidence;
- If they would like to present in te reo Maori.

Provision of Evidence

To allow for the Hearing Panel to read the evidence prior to the hearing, submitters who intend to call or give evidence are to provide a written statement of the evidence of each witness so that it is received by the Council by 8 September 2016.

This timetable is established because the Hearing Panel considers that the scale and significance of the public hearing makes this direction appropriate. Please note that the timetable is not confined to expert evidence. It applies to all evidence.

The briefs of evidence will be posted on the website.

Acknowledgment of Potential Conflict of Interest

Having reviewed a list of submitters, the Hearing Panel have identified those submitters with whom the Hearing Panel have had current or previous associations. Maurice Rodway is a member of the Conservation Board. However, he was not appointed to the Conservation Board until after it had lodged its submission on the Fiordland Marine Regional Pathway MP, and took no part in preparing its submission. In his capacity as a member of the Conservation Board, he knows a number of the submitters. In addition to his role on the Conservation Board, Maurice Rodway was previously a Manager for Fish and Game New Zealand in the Southland Region, and has previously dealt with a number of submitters in a consenting context. The names of those persons are as follows:

Sir Alan Mark;

Bill Chisholm;

Ted Loose;

Fiona Black; and

Malcolm Lawson.

Peter Jones was a member of the Conservation Board until the end of June 2016 but played no part in the formation of the Conservation Board's submission. He also knows some of the persons who have lodged submissions.

Ross Cockburn notes that he is involved with the River Liaison Committee and as a result knows Ted Loose.

The Hearing Panel is satisfied, subject to any matters submitters might raise, that any perceived conflicts of interest can be dealt with by this disclosure, and there is no need for any Panel member to recuse themselves from considering and determining any of the submissions on the Fiordland Marine Regional Pathway MP.

If any submitter takes a different view, or wishes to raise additional matters, they are to alert Environment Southland as a matter of urgency.

The Hearing Procedure

The Hearing Panel will read submissions and evidence in advance, and take such materials as read, so time allocations can be set to allow submitters to provide an executive summary of their submission and/or provide evidence in response to new issues and/or provide rebuttal evidence.

Submitters will not be permitted to cross-examine witnesses. The Hearing Panel may question submitters and witnesses.

A handwritten signature in cursive script, appearing to read "M. Rodway".

Maurice Rodway (Chairperson)

A handwritten signature in cursive script, appearing to read "Ross Cockburn".

Ross Cockburn

A handwritten signature in cursive script, appearing to read "Peter Jones".

Peter Jones

17 August 2016