

**Te Rūnanga o Awarua, Department of Conservation and Environment Southland,
Resource consent applications for the periodic opening of the Waituna Lagoon,
Kapuka South, Southland. (APP-20242456)
Minute #3**

1. In response to Minute #1, dated 25 June 2025, the Panel received some queries in addition to the input sought from the parties on the Applicants' request to amend the section 103B of the RMA timetabling and to allow an expert witness to be heard at a later date. Those queries related to submitters that had indicated they did not wish to be heard now wishing to be heard, as well as the site visit/s by the Panel. We address each of those matters in turn.
2. The Panel notes that the section 42A of the Resource Management Act (RMA) report has been released and made available to the parties.

Submitters that now wish to be heard

3. In relation to submitters that had indicated in their submission that they did not wish to be heard, potentially now wishing to be heard, then those submitters may do so. To assist in organising the hearing, if there is any submitter that now wishes to be heard, they should contact Ms Catherine Ongko (Resourceconsents@es.govt.nz), Hearing Administrator at Southland Regional Council (SRC), by way of email, no later than **12noon on Friday 18 July 2025**, so that an appearance time can be arranged.

Site Visit/s by the Panel

4. In Minute #1, the Panel requested that the applicant arrange an initial site visit for the Panel and that the Panel would update the parties at or prior to the hearing on matters observed. The Panel received a query that the Panel should also view affected farmland and infrastructure identified by the submitters. The Panel notes that viewing individual properties requires the permission of the landowner.
5. The Panel proposes to undertake an initial site visit on Monday 28 July 2025 and intends to view the proposed opening locations (Walker's Bay, Hansens Bay, and The Fence), Te Wai Pārerā Trust Land, Waghorn Road Bridge, publicly accessible points to the tributaries – Waituna Creek, Carran Creek, Moffat Creek, and the Waituna Lagoon Loop Track. Arrangements to facilitate the initial site visit are underway.
6. The Panel, also wishes to view examples of private land potentially affected as raised by submitters on Friday 1 August 2025. The Panel request that the submitters liaise amongst themselves to identify and arrange access and times for the Panel, to view three example sites on Friday 1 August 2025, starting at 9.00am and needing to be completed by 2pm. The Panel, as with the initial site visit, will need to be accompanied on the site visits to individual properties and the person guiding the Panel must not be presenting evidence, or making representations at the hearing. To be clear this is not an evidence collecting exercise, but rather an opportunity to view examples of the issues identified by the submitters. The Panel will have its own transportation to travel to and between the example sites.
7. The Panel requests that the submitters identify and arrange a draft schedule of the properties to visit and table that draft schedule at the commencement of the hearing on Tuesday 29 July 2025. The Panel will review the draft schedule and make a determination as to which properties to visit.
8. Any correspondence to the Commissioners should be directed through Ms Catherine Ongko (ResourceConsents@es.govt.nz), Hearing Administrator at SRC.



Mark St.Clair
Chair and on behalf of the Panel

10 July 2025