

**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 #5**

1. The Panel received yesterday, a memorandum (see **Appendix 1**) from Mr Tuckey a submitter, raising the concern that the application is to be heard in the premises of one of the Applicants and in summary that for reasons of transparency and fairness, the choice of venue should be reconsidered.
2. The Panel has carefully considered Mr Tuckey's request and the reasons expressed for that request. The Panel wish to assure Mr Tuckey and any other submitters that the Panel is independent of Applicants' and will run a fair and transparent hearing regardless of the venue.
3. The hearing venue was advised to all parties on 10 June 2025 as part of the hearing notice. Noting that one month has since elapsed and that there is now only two weeks to the commencement of the hearing on 29 July 2025, the Panel have reached the conclusion that it is too late logistically to now change the venue. The Panel will conduct the hearing in a manner so that venue will not prejudice any party.
4. The panel wish to clarify that if any person who has made a submission intends to present expert evidence at the hearing pursuant to section 103B(4) of the RMA, including expert planning evidence, then that party is to provide a written brief of that expert evidence to Ms Catherine Ongko (ResourceConsents@es.govt.nz), Hearing Administrator at SRC, by way of email, no later than **12noon on Tuesday 22 July 2025**.
5. Similarly, the Applicant's opening legal submissions are to be provided to Ms Catherine Ongko (ResourceConsents@es.govt.nz), Hearing Administrator at SRC, by way of email, no later than **12noon on Tuesday 22 July 2025**.
6. 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

15 July 2025

Appendix 1

-----Original Message-----

From: Warren Tuckey [REDACTED]
Sent: Sunday, 13 July 2025 9:12 pm
To: Catherine Ongko [REDACTED]
Subject: [External] Resource Consent Application - Waituna Opening

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The Chairman
Independent Hearing Panel

Dear Sir,

Sorry to raise this matter so late but I am concerned that the hearing of this application is to be held in the premises of one of the applicants.

I would have thought that it would be preferable for the sake of independence for this application to be heard in a neutral/impartial location to ensure fairness and transparency, enabling all parties to present their submissions without the potential influence of one of the applicant's premises.

Although I have elected not to speak to my submission, the informal pre-hearing meeting in one of the applicant's didn't feel appropriate to me and I am sure that the formal hearing at that venue will feel even more inappropriate.

I suggest that the choice of venue be urgently reconsidered for these reasons.

Warren Tuckey
Sent from my iPad