

**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 #8**

1. The hearing commenced as scheduled at 9.00am on Tuesday 28 July 2025, and we adjourned the hearing at 4.45pm on Thursday 31 July 2025. The purpose of the adjournment being; for the Applicants to address a clarification matter, to confirm the date and time for the Panel to hear and question the Applicants' witness Dr Robertson, for facilitated expert planning conferencing as to conditions to occur, the opportunity for the submitters to provide written comments on those previous three matters and allow for the Applicants' right of reply in writing. For completeness, we confirm that the Panel undertook site visits to three locations arranged by the submitters on the 1 August 2025.
2. Accordingly, and as explained at the hearing, the Panel directs;
3. The Applicant is to provide clarification as to what the risk assessment is assessing and to what standards the alternative location/s are to be assessed, for the proposed alternative opening location/s anywhere along the coastal bar adjoining the lagoon. The Applicants are directed to provide that clarification to Ms Catherine Ongko (ResourceConsents@es.govt.nz), Hearing Administrator at Southland Regional Council (SRC), via email by **3pm on Tuesday 12 August 2025**.
4. The Panel request that as soon as practicable following receipt of any such clarification received pursuant to Direction [3], SRC provides a copy to all other parties to these proceedings by way of email with a link to the Council's website.
5. The Panel direct that SRC arrange a reconvening of the hearing, via Microsoft Teams or Zoom, for **10.30am on Wednesday 13 August 2025**, for the purpose of the Panel to hear from and question the Applicants' witness Dr H Robertson, as initially signalled in Minute #2 dated 30 June 2025. Having heard from Dr Robertson, the hearing will be again adjourned.
6. The planning experts are directed to conference on the proposed suite of conditions of consent, to address the matters raised by the Panel at the hearing. SRC is directed to engage an independent person experienced in the preparation of conditions to facilitate the conferencing. The date of the conferencing is to be organised amongst the planning experts and independent facilitator. The conferencing should be conducted in person. Any resulting Joint Witness Statement (JWS) from the conferencing must include PDF and WORD versions of any recommended suite of conditions.
7. The Panel directs that any resulting JWS from the planning experts' conferencing be provided to Ms Catherine Ongko (ResourceConsents@es.govt.nz), Hearing Administrator at SRC, via email by **3pm on Friday 29 August 2025**.
8. The Panel request that as soon as practicable following receipt of any such JWS received pursuant to Direction [7], SRC provides a copy to all other parties to these proceedings by way of email with a link to the Council's website.
9. Following receipt of the JWS as to conditions, the submitters are invited to provide written comment on; the clarification as to the risk assessment (Direction [3]), the hearing and questioning of Dr Robertson (Direction [5]), and/or the JWS on recommended consent conditions (Direction [7]). As explained at the hearing, the submitters' comments should respond to those three matters and not relitigate matters already addressed at the hearing 29 to 31 July 2025. Any responses from the submitters are to be provided to Ms Catherine Ongko (ResourceConsents@es.govt.nz), Hearing Administrator at Southland Regional Council (SRC), via email by **3pm on Friday 5 September 2025**.

10. The Panel request that as soon as practicable following receipt of any such comments received pursuant to Direction [9], SRC provides a copy to all other parties to these proceedings by way of email with a link to the Council's website.
11. Finally the Panel direct that the Applicants provide their reply statement in writing to Ms Catherine Ongko (ResourceConsents@es.govt.nz), Hearing Administrator at SRC, via email by **3pm on Friday 12 September 2025**.
12. The Panel request that as soon as practicable following receipt of the Reply Statement received pursuant to Direction [11], SRC provides a copy to all other parties to these proceedings by way of email with a link to the Council's website.
13. As explained at the hearing, the Panel will then determine if they have all the information they require, before closing the hearing by way of minute and moving to deliberations and preparation of the decision.
14. 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

1 August 2025