

## Southland Regional Council (Environment Southland)

### Proposed Southland Water and Land Plan

#### MINUTE AND DIRECTIONS OF HEARING COMMISSIONERS

##### Minute 10

#### INTRODUCTION

1. This Minute outlines the Hearing Panel's (the Panel) decision to grant extensions to the dates for submitting evidence-in-chief and rebuttal set out in Minute 6 for all submitters.

#### BACKGROUND

2. On 11 April the Panel received a request from the Southland Fish & Game Council (Fish & Game) for an extension of one week to the dates in Minute 6 for lodging their evidence-in-chief and rebuttal evidence. Minute 7 outlines the Panel's decision to grant this request.
3. On 12 April the Panel received a request from Ngāi Tahu for an extension of three weeks to the dates in Minute 6 for lodging the evidence-in-chief and rebuttal evidence of their cultural and technical evidence. Minute 8 outlines the Panel's decision to grant this request.
4. On 11 April the Panel received a request from Beef + Lamb seeking alternative dates for individual farmer submitters to submit their evidence-in-chief to those specified in Minute 6. In summary, Beef + Lamb have sought that the dates for individual farmer submitters to lodge their evidence-in-chief be changed to either:
  - a. Three working days in advance of the hearing date that the submitter will be attending; or
  - b. Ten working days in advance of the hearing date that the submitter will be attending; or
  - c. Thursday 8 June.
5. Minute 9 outlines the Panel's decision to decline Beef + Lamb's request.
6. As well as the specific requests outlined above, Council staff have received a number of emails and phone calls from submitters raising concerns with the timeframes directed by the Panel in Minute 6, and seeking clarification of what is required in relation to the provision of evidence and appearing at the hearing. This Minute, and the accompanying letter from the Council, responds to those matters.

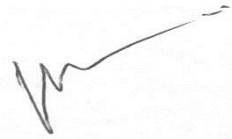
#### DIRECTION

7. As a result of the specific requests above and the informal queries from a number of other submitters (and in anticipation of further requests), the Panel has decided to extend the date for all submitters to lodge their evidence-in-chief to **5.00pm Friday 12 May 2017**. Correspondingly, the Panel has also decided to extend the date for the lodging of rebuttal evidence to **5.00pm Tuesday 23 May 2017**. The Panel expects any rebuttal evidence will be concise and narrowly focused. Submitters should refer to requirements for the lodging of evidence set out in Minute 6.

8. The reason for these decisions is to assist submitters in preparing material that will be of assistance to the Panel in terms of understanding the matters contained in the original submissions, whilst retaining a process that is fair and timely for all.
9. The Panel is aware that this is the first time the Council has required evidence to be lodged in advance of a plan hearing and that many submitters are not familiar with the process. To further assist submitters to understand what the Panel expects, the Council has prepared a letter explaining in more detail what is considered to be evidence, and what submitters will need to provide in advance of the hearing (by the dates set out in paragraph 7 above) . This letter will be sent to all submitters and will also be made available on the Council website at:

<http://www.es.govt.nz/waterandland>

10. The Panel notes that it will be reluctant to grant any further requests for extensions given that:
  - a. Submissions closed on 1 August 2016 and submitters have therefore already had eight and a half months to prepare their supporting evidence; and
  - b. The Panel does not anticipate receiving written evidence that merely repeats the contents of the original submissions, as those submissions will have already been read by the Panel prior to the hearing.



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

**13 April 2017**

## Appendix 1 – Record of Minutes Issued

<b>Minute Number</b>	<b>Date Issued</b>	<b>Purpose</b>
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