

Southland Regional Council (Environment Southland)

Proposed Southland Water and Land Plan

MINUTE AND DIRECTIONS OF HEARING COMMISSIONERS

Minute 9

INTRODUCTION

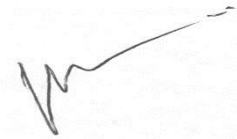
1. This Minute contains the hearing panel's decision on a request for an extension to the timeframes for lodging evidence-in-chief and rebuttal evidence by Beef + Lamb New Zealand (Beef + Lamb).
2. Nine previous Minutes have been issued by the hearing panel. A list of these Minutes is attached in Appendix 1.

REQUEST BY BEEF + LAMB

3. In Minute 6, the hearing panel directed a timetable for the lodging of evidence-in-chief and rebuttal evidence for all submitters before the hearing of the submissions.
4. On 11 April, the hearing panel received a request from Beef + Lamb outlining their request for an extension to the timeframes directed by the hearing panel in Minute 6 for the lodging of evidence-in-chief by individual farmer submitters. Beef + Lamb proposed three options for an extension as follows:
 - a. Evidence-in-chief from individual farmer submitters to be filed three working days before the hearing date each submitter is scheduled to attend;
 - b. Evidence-in-chief from individual farmer submitters to be filed ten working days before the hearing date each submitter is scheduled to attend; or
 - c. Evidence-in-chief from individual farmer submitters to be filed by Thursday 8 June;
5. Beef + Lamb set out the following reasons for the request:
 - a. The Proposed Southland Water and Land Plan will have a large impact on how farmers manage their business, the future constraints under which they have to manage, and the degree of flexibility they have to respond at a farm level to meet freshwater limits.
 - b. Beef + Lamb are investing considerable time and resources to help farmers engage in the process in an effective and meaningful way.
 - c. The proposed timetable for lodging evidence is effectively shutting individual submitters out of the process.
 - d. Many individual farmer submitters have never written a submission before, and even fewer will have prepared a written statement to support their submissions and/or presented at a hearing and need time to develop this material.

DIRECTIONS

6. The panel has considered the request and declines to grant the extension as requested in paragraph 4.
7. Beef + Lamb's request was made on behalf of all individual farmer submitters. As Beef + Lamb note in their request, the hearing process must be fair and transparent and no submitters should have an advantage or opportunity greater than another.
8. The Panel considers that the reasons for Beef + Lamb's request are equally as relevant for non-farmer submitters, however to afford all individual submitters greater flexibility in the timeframes for lodging evidence-in-chief than organisations would not achieve a fair and transparent hearing process.
9. The Panel considers that an extension for all submitters is the more equitable way to respond to Beef + Lamb's request and the concerns raised informally through the Council. The Panel's decision on this matter is set out in Minute 10.



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

13 April 2017

Appendix 1 – Record of Minutes Issued

Minute Number	Date Issued	Purpose
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