

**MANAWATU-WANGANUI REGIONAL COUNCIL**  
**ONE PLAN**  
**PLAN CHANGE 2 - EXISTING INTENSIVE FARMING LAND USES**  
**MINUTE 4 OF THE INDEPENDENT HEARING PANEL**

## Introduction

1. This is the fourth minute of the independent hearing panel. It sets out our directions for the updated process leading up to hearings in October 2020.
2. The Manawatū-Whanganui Regional Council (MWRC) had appointed three independent hearing commissioners – Ms Elizabeth Burge, Mr David McMahon and Dr Brent Cowie (chair) as a panel for Proposed Plan Change 2 (PC2) to the operative “One Plan”. The Commissioners will hear the submissions, consider whether they should be accepted or rejected, and these findings, together with any amendments to PC2, will form the basis of their recommendations to the Council.
3. In Minute 1 dated 27 February 2020 the commissioners set out a process that would lead up to a hearing on submissions to PC2 in June/July 2020.
4. That all changed when the country went into “lockdown” on 25 March because of the threat to community health and well-being posed by Covid-19. In our second minute dated 23 March 2020 we said that the original timetable outlined in our first minute could clearly not be met.
5. In our third minute dated 6 May we noted that with the impending move to Alert Level 2 the process leading up to a hearing could recommence.
6. To our collective relief on 8 June 2020 the country moved to Alert Level 1. This effectively means that the full PC2 process can be recommenced without any significant hindrances.

## The Updated Programme

7. The below programme sets out the statutory process in the months leading to a hearing starting 12 October and (if needed) 19 October 2020. It assumes NZ remains at Alert Level 1, or, at very worst, Alert Level 2.
8. The setting of hearing dates allows us to “count back” the process leading up to the hearing. The key steps and our associated directions in that process are:
  - a. In June 2020, pre-hearing conferencing, which has already commenced will continue. At the associated meetings (and, if needed, through targeted discussion with submitters) we request that Council officers look to agree with submitters and their experts:
    - i. The scope of expert conferencing and the topics to be covered, including any overlap between topics;
    - ii. the name and discipline of each expert participating in each topic; and

- iii. the provision of information to be circulated in advance of each expert conferencing session, including an agreed agenda and key questions for each topic.
- b. In July 2020 expert conferencing is to take place. All parties calling technical evidence should participate in this expert conferencing, which will be co-ordinated by Council Officers.

For each topic, the commissioners will be provided with the outputs from that expert conferencing. Our expectation is that the joint conference statement for each topic will be signed by all attendees, list matters of agreement and disagreement between the parties, and the reasons for any disagreements.

- c. The Council Officer's Section 42A report, along with any supporting technical reports, is to be filed by 1pm on Friday 21 August 2020, which is 35 working days before the hearing commences. That report is to include any amendments recommended by the Officers to PC2 as tracked changes. It must also specify any submissions and submission points the Officers consider to be out of scope, and their reasons for that assessment.
- d. Submitter expert evidence is to be filed by 1pm on Friday 11 September 2020, which is 15 working days after the receipt of the Council Officer's Section 42A report and 20 working days before the hearing commences. A section of this evidence should specifically address where the expert disagrees with any aspect of the Officer's Report, and the reasons for that disagreement. The onus is on each submitter to illustrate that any proposed revision to PC2 provisions being proposed in their evidence are within the scope of their submission and within the scope of the plan change. It is also incumbent on each submitter (and indeed the Council Officer in their s42A report) to assess any proposed revisions in terms of s 32AA of the Resource Management Act 1991.
- e. Any additional response by the Officers to submitter expert evidence is to be filed by 1pm on Friday 25 September 2020, which is 10 working days before the hearing commences. Any proposed further amendments to PC2 must be included with this response, with tracked changes in a different colour to those included in the S42A response.

All submitters are asked to focus on this tracked changes version of PC2, as it is what we will be using as our starting point for our discussions.

- f. Any lay submitters appearing at the hearing who want to highlight any matters over and above their written submission must provide an accurate summary of what they want to say by 1pm on Monday 5 October 2020, which is five working days before the hearing commences.
- g. Legal submissions to assist the hearing commissioners are to be filed by 4pm on Wednesday 7 October 2020.

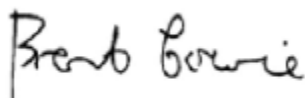
## The Hearing

9. As already noted the hearing will commence on Monday 12 October. A full hearing programme will be prepared by Council officers, with a final draft to be circulated no later than Monday 5 October with times set down for submitters and their experts to appear before us. The week starting Monday 19 October is a reserve week that will be used if necessary.

## Other Matters

10. All information relevant to PC2 can be found at the following link on the Council's website. <http://www.horizons.govt.nz/publications-feedback/one-plan-reviews-changes/plan-change-2>
11. The Commissioners may issue further minutes, particularly about the process leading up to the hearing, and the conduct of the hearing itself.
12. Any questions about this memorandum should be forwarded to Rebecca Tayler at MWRC. Her e-mail is [Rebecca.Tayler@horizons.govt.nz](mailto:Rebecca.Tayler@horizons.govt.nz) and her DDI is 06 952 2825. She will confer with the Commissioners as necessary.

For the Hearing Panel



Brent Cowie (Chair)

On Behalf of Commissioners David McMahon and Elizabeth Burge.

22 June 2020