

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER of the **PROPOSED WAIKATO REGIONAL COASTAL PLAN**.

DIRECTION (3) FROM THE HEARING PANEL

EXPERT CONFERENCING – TOPICS, DATES AND FORMAT

1. Direction 2– “Expert Conferencing”¹ from the Hearing Panel set out at paragraphs 5 and 6: the suggested topics; whether there were any additional topics that would benefit from expert conferencing; and the expert witnesses who would will attend the conferencing sessions. Paragraph 8 set out that:

The Hearing Panel will authorise the final list of topics for conferencing. Once that list has been approved, the Hearing Panel delegates the organisation of the conferencing sessions to the Independent Facilitator in accordance with paragraph 12 [of Direction 2 – and repeated in paragraph 5 below].

2. Having reviewed the responses to Direction 2², the following table sets out:
- the topics to be conferenced;
 - the dates and commencement time for the conferencing sessions³;
 - the format (either in-person or on-line); and
 - the venue for the in-person sessions.

Topic	Date	Format
Natural character and natural features and landscapes	Monday 25 November 10am	In-person
Ecosystems and indigenous biodiversity	Tuesday 26 November 9am	In-person
Aquaculture	Wednesday 27 November 9am	In-person
Water quality and discharges	Thursday 28 November 9am	In-person
Energy and infrastructure	Monday 2 December 9am	On-line

¹ Dated 30 July 2024.

² Those provided to Mr Rice as set out in Direction 2.

³ Invites will be sent by the Council to the parties as soon as possible.

Disturbance and deposition	Monday 2 December 1pm	On-line
Structures and occupation of space	Tuesday 3 December 9am	On-line
Planning	Wednesday 4 December 10am Thursday 5 December (<i>if required</i>) 9am	In-person

3. The venue for those topics being held in person will be the **Distinction Hotel & Conference Centre, 100 Garnett Avenue, Hamilton.**
4. Once the section 42A reports and submitters' expert evidence have been received⁴ the conferencing schedule will be reviewed by Ms Oliver (in conjunction with Council officers) to determine if all the topics are still required, or if other topics are proposed. Following that a draft agenda will be prepared for each of the conferencing sessions. The draft agenda will be provided at least **5 working days** before the conferencing session.
5. We repeat from Direction 2 that Ms Marlene Oliver has been appointed by the Hearing Panel as the Independent Facilitator for the expert conferencing sessions. She is authorised to:
 - (a) Act as independent facilitator;
 - (b) In conjunction with the Council (as administrator) invite submitters and the Council as regulator (in its section 42A reporting function) to advise whether their expert witnesses in the relevant fields will attend the expert conferencing sessions;
 - (c) In conjunction with the Council (as administrator) organise the sessions (including format, topics, agendas, attendance and Joint Witness Statements (JWS), times and venues – in person or on-line as appropriate;
 - (d) Liaise with the Council and its experts (in its section 42A reporting function) and with submitters and their experts; and;
 - (e) Report to the Chair of the Hearing Panel on an as required basis on progress with the conferencing sessions and on any JWS setting out the outcomes, including matters agreed and not agreed.

⁴ The dates for these are set out in the Hearing Panel's Direction 1 - Hearing Process, Dates and Evidence Exchange dated 27 June 2024.

6. We also reiterate from Direction 2 that any conferencing undertaken is to be in accordance with the Environment Court Practice Note 2023 and in particular – Section 9 - Code of conduct for expert witnesses. Also, those experts participating in the conferencing are to make themselves available to appear at the hearing if required to do so by the Hearing Panel.

Enquires

7. Any enquiries regarding this Direction, or related matters, should be directed to the Council's Hearings Administrator, Mr Steve Rice, at steve@riceres.co.nz



Greg Hill Chairperson
23 August 2024