

Wellington City Council
Proposed Plan Change 83 – Kiwi Point Quarry

Hearing Panel Minute 1

2 July 2018

Procedure for the Hearing of Submissions on Plan Change 83

Introduction

1. The purpose of this Minute is to establish the procedure for the hearing of submissions on Plan Change 83.
2. The Hearing Panel may issue further Minutes as it sees fit in the lead up to the hearing, and potentially during the hearing.

Background

3. Plan Change 83 was notified on 13 April 2018 and 35 submissions were received by the Council by the close of the submission period¹. The Council prepared a summary of submissions (summary of decisions requested) which was notified on 11 June 2018 for further submissions. One further submission was received by the close of the further submission period on 25 June 2018.

The Hearing Panel and Process

4. Wellington City Council (the Council) has appointed a Hearing Panel to hear submissions on Plan Change 83. The Panel is comprised of the following members:
 - Alick Shaw, Chair (Independent Commissioner)
 - Julia Williams, Member (Independent Commissioner)
 - Ian Leary, Member (Independent Commissioner)
5. The role of the Hearing Panel is to hear and make recommendations to the Council on the submissions and further submissions made to the Plan Change. The Hearing Panel does not determine the outcome of the Plan Change. Rather its role is to make recommendations to the Council having

¹ Two of those submissions were late submissions, received after the close of the submission period.

heard the submissions and evidence. The Council will then make a decision as to whether to adopt those recommendations or not.

6. Despite the relative formality of this Minute, it is the intention of the Hearing Panel to run a process that:
 - Is as informal as possible;
 - Enables all submitters to 'have their say' and to provide an appropriate amount of time for each submitter to do so; and
 - Is fair to all participants.

Hearing Dates

7. The hearing has been set down for the Monday 17th and Tuesday 18th September 2018. At present the Hearing Panel envisages that two days will be sufficient to hear all of the submitters. A third day, the 19th September, has been earmarked as a reserve day should that be required.
8. Submitters who indicated that they wished to be heard in support of their submission will be contacted in the lead up to the hearing to schedule their appearance.

The Role of the Council

9. The Council has proposed the Plan Change for the site. Given the Council's ownership interest in the site, two steps have been taken to address any actual or perceived conflicts of interest:
 - The appointment of the Hearing Panel as an independent body to hear submissions on the Plan Change; and
 - The appointment of an independent Planning Consultant as a Reporting Officer to provide recommendations to the Hearing Panel.
10. The Council as proponent of the Plan Change will present evidence in support of the Plan Change. This will be supported by expert advisors who contributed to the preparation of the Plan Change document.

Reporting Officer

11. The reporting officer will prepare a report (known as a section 42A report) for the Plan Change which will consider the plan change and the matters raised in submissions and further submissions, and provide recommendations to the Hearing Panel for their consideration.

12. The Reporting Officer will attend the hearing, provide a summary of their report and answer questions from the Hearing Panel. Any advisors to the Reporting Officer will also be in attendance to answer questions.

Contact with the Council regarding Plan Change 83

13. Council staff will continue to liaise with submitters in preparation for the hearing. This will include scheduling submitters who indicated that they wished to be heard in support of their submissions.
14. For submitters, the best point of contact with Council staff for all enquiries regarding Plan Change 83 will be via the following email address:
districtplan@wcc.govt.nz

Evidence Exchange

15. The Hearing Panel proposes to pre-read evidence in advance of the hearing.
16. It is anticipated that the majority of submitters will only want to speak to the submissions already made. However some submitters may wish to present expert evidence from suitably qualified people.
17. The Hearing Panel therefore proposes the following timetable for the supply and exchange of evidence:

Section 42A Report

18. The Council's s42A report will be made available 15 working days in advance of the hearing, and will be made available on the Council's website on the 27th August 2018.
19. Submitters will be notified of the availability of the s42A report by email.

Council evidence as Plan Change proponent

20. Evidence from the Council, in its capacity as proponent of the Plan Change, will need to be supplied 10 working days before the start of the hearing.
21. Evidence must be submitted to the Council via email to districtplan@wcc.govt.nz by 5pm on Friday 31 August. Once received, the evidence will be made available on the Council's website on the 3rd September 2018.

22. It is the Panel's expectation that a short summary statement will be presented by each expert witnesses at the hearing.

Submitter Evidence

23. If a submitter wishes to call expert evidence, then such evidence will need to be provided 5 working days in advance of the hearing. Expert evidence shall be submitted to the Council via the districtplan@wcc.govt.nz email address by 5pm on Friday 7 September 2018, and once received will be made available on the Council's website on the 10th September 2018.

24. If expert evidence is provided, it is the Panel's expectation that a short summary statement will be presented by the expert witness at the hearing.

25. For submitters not presenting expert evidence, there is no need to pre-circulate any evidence, and submitters can simply speak to their submission during their hearing time and answer any questions from the Hearing Panel.

For and on behalf of the Plan Change 83 Hearing Panel:

A handwritten signature in blue ink, appearing to read 'Alick Shaw', with a large, sweeping initial 'A'.

Alick Shaw
Chair