

Applicant: NZ Hospitality Group Limited

Location: 143 to 193 Moray Place, Dunedin

Application Number: LUC-2017-48 and SUB 2017-26

Topic: Hearing Procedures

This minute is to advise of the process that I will follow to hear expert evidence and submissions at the hearing.

The Resource Management Act 1991 requires expert evidence to be exchanged prior to the hearing. The applicant must provide their expert evidence 10 days before the hearing. Should submitters provide any expert evidence, it must to be provided 5 days before the hearing.

The intent of this change is as follows:

- Improve the focus of hearings and reduce the time that it takes,
- Avoid any late surprises or changes to the applicant's proposal,
- Allow time for all the parties to consider the evidence before the hearing.

For evidence to have the status of expert evidence, it must be pre-circulated in accordance with the appropriate time frame. It is also appropriate for it to be prepared with reference to the Environment Court Code of Conduct for expert witnesses. An expert witness must not behave as an advocate and has a duty to impartially assist the commissioner on matters within the expert's area of expertise.

In terms of the process the Committee will follow at the hearing, I advise that the Committee will have read the pre-circulated expert evidence prior to the hearing and therefore the Committee do not require it to be restated orally at the hearing. ***The Committee requires expert witnesses to provide a highlights package of their evidence and speak to this package at the hearing.*** Please note that a highlights package should be a high level summary of key points.

The Committee does not want this to be an opportunity for a lengthy dissertation on material that has been pre-read or as a means to introduce new material.

The Committee advise that all legal submissions must be provided by 4.00 pm on the day before Legal Counsel are presenting, this is to allow the distribution and reading prior to the Hearing.

As there are a large number of submitters that wish to be heard; there will be a ten minute time limit for each submitter and it would be appreciated if the submissions are focused and concise. If a submitter has requires additional time, they should discuss these with Wendy Collard the Council's Governance Support Officer for this hearing on 03 477 4000.

Regards



Andrew Noone
COMMISSIONER/CHAIRPERSON