

Canterbury Regional Council (Environment Canterbury)

**Proposed Plan Change 5 (Nutrient Management and Waitaki Sub-region)**

to the

Canterbury Land and Water Regional Plan

**MINUTE AND DIRECTIONS OF HEARING COMMISSIONERS**

**on preparation for hearing of submissions**

[Minute 1]

**INTRODUCTION**

At its meeting on 17 March 2016 the Canterbury Regional Council ('the Council') under section 34A of the Resource Management Act 1991 ('the Act') appointed us to be hearing commissioners. The Council delegated to us the functions and duties of hearing submissions on proposed Plan Change 5 to the Canterbury Land and Water Regional Plan, and of making recommendations to the Council on them.

The hearing commissioners are:

David Sheppard (chair)  
Rob van Voorthuysen  
Edward Ellison

**NOTICE OF HEARING**

Notice is hereby given that a hearing by the Canterbury Regional Council has been set to consider the Proposed Plan Change 5 (Nutrient Management and Waitaki Sub-region) to the partially operative Canterbury Land and Water Regional Plan and the submissions received.

Plan Change 5 proposes to amend the region-wide provisions of the Canterbury Land and Water Regional Plan, and to insert provisions into section 15 of the Plan that are specific to the Waitaki catchment. Accordingly, to ensure that all submitters may have opportunity to be heard, the hearing of submissions on Proposed Plan Change 5 will take place at three venues. The commencement date and time for the hearing of submissions at each venue is set out below:

Christchurch

DATE: 22 August 2016  
VENUE: Lincoln Events Centre, Meijer Drive, Lincoln  
TIME: 9.30am

### Oamaru

DATE: 6 September 2016  
VENUE: Oamaru Opera House, 90 Thames St, Oamaru  
TIME: 9.30am

### Omarama

DATE: 4 October 2016  
VENUE: Country Time Lodge, SH8 Omarama  
TIME: 9.30am

## **DIRECTIONS**

### Website

1. All information relevant to the hearings will be made available on the Council's website:  
[www.ecan.govt.nz/lwrp-pc5](http://www.ecan.govt.nz/lwrp-pc5)
2. Submitters who wish to be heard are advised to view that information on the website.

### Service on the Council

3. Any information or evidence required by this Minute, and any memorandum or application to the hearing commissioners, may be lodged:
  - in writing, addressed to Environment Canterbury, P O Box 345, Christchurch 8140 marked for the attention of the Hearings Officer, Sarah Drummond; or
  - By delivery to Environment Canterbury, 200 Tuam Street, Christchurch; or
  - By email to [sarah.drummond@ecan.govt.nz](mailto:sarah.drummond@ecan.govt.nz).

### Section 42A Report

4. A section 42A report will be made available on the website on and from **1 July 2016**.

### Confirmation of wish to be heard

5. Submitters who wish to be heard at the public hearing are to confirm by email to the Hearings Officer their intention and availability no later than **22 July 2016**, and to advise:

- The time allocation they want to speak to their submission and/or call evidence:
- At which of those venues they wish to be heard:
- Whether they have any special needs (eg projector and screen):
- Whether they intend to call expert evidence (including any planning witness).

### Hearing Plan

6. A hearing plan will be e-mailed to submitters and posted to the website showing the location, date, sequence and time allocation granted to each submitter.
7. Time allocations will be set in light of the content of each submitter's submission, evidence (if any) and the time estimate provided in response to paragraph 5 above.

### Provision of Evidence

8. To allow for timely lodging of any rebuttal evidence, and for the hearing commissioners to read the evidence prior to the hearing, submitters who intend to call or give evidence are to provide a written statement of the evidence of each witness in accordance with the following timetable:
  - a. Evidence-in-chief is to be received by the Council by **22 July 2016**
  - b. Rebuttal evidence is to be received by the Council by **5 August 2016**

This timetable is established because the Panel considers that the scale and significance of the public hearing makes this direction appropriate. Please note that the timetable is not confined to expert evidence. It applies to **all** evidence.

9. The briefs of evidence will be posted on the website.

### The Hearing Procedure

10. The hearing commissioners are required to conduct the public hearing in a manner which is appropriate and fair, but without unnecessary formality. We will receive evidence written or spoken in te reo Māori, and will accommodate disabilities which affect submitters or witnesses.
11. The panel will read submissions and evidence in advance, and take such materials as read, so time allocations can be set to allow submitters to speak to their submission and/or provide evidence in response to new issues.
12. Submitters will not be permitted to cross-examine witnesses. The hearing commissioners may question submitters and witnesses.

### Evidence Recording

13. An audio record of the hearing will be made, and will be available on the website.
14. Excerpts from the audio record may be transcribed, if the hearing commissioners require it themselves, or at the request of a submitter.

### Council Opening on Proposed Plan Change 5

15. We understand from our reading of the section 32 report that Plan Change 5 as proposed by the Council includes amendments to the existing provisions in the Canterbury Land and Water Regional Plan (e.g the nitrogen baseline and Schedule 7 - Farm Environment Plan template), the introduction of new nutrient management concepts (e.g. the Baseline GMP and Good Management Practice Loss Rate concepts) and the reliance on a web-based portal to estimate nutrient losses from farming activities operating at good management practice (the FarmPortal).
16. To ensure a complete understanding of the FarmPortal, the Panel invites the Council to prepare and present to us as part of its opening on the first day of the hearing an explanation demonstrating the use of the FarmPortal.



David F Sheppard for and on behalf of the Hearing Commissioners:

David Sheppard (Chairperson)

Edward Ellison

Rob van Voorthuysen

21 April 2016