

BEFORE THE CANTERBURY REGIONAL COUNCIL (CRC)

IN THE MATTER OF the Resource Management Act 1991 ('the RMA')

AND

A RESOURCE CONSENT APPLICATION by Oceania Dairy Limited under section 88 of the RMA for the construction of a 7.5 kilometre pipeline and discharge of treated wastewater from a milk-processing factory situated at 30 Cooney's Road, Glenavy, into the Coastal Marine Area.

DIRECTIONS FOR HEARING

29 JUNE 2020

INTRODUCTION

- 1 To facilitate an orderly and efficient hearing, the following directions are made by the Panel and should be complied with by all participants.

DIRECTONS

- 2 Pursuant to s41C(1) of the RMA, the Panel directs that in respect of expert evidence pre-circulated in accordance with earlier issued directions, the hearing will be conducted in the following manner:
 - (a) The section 42A report(s) will be taken as read;
 - (b) The Applicant will commence providing a summary of legal submissions and an application commentary summary utilising the already pre-circulated drone footage;
 - (c) The Applicant is to call any expert witness who has pre circulated evidence in person;
 - (i) The witness should be introduced and asked to confirm his or her qualifications and experience and the content of their pre-circulated evidence;
 - (ii) The witness will then be given an opportunity to draw to the attention of the Panel the key points in their brief. The witness should present a summary of their pre-circulated evidence (supported by power point presentations if desired), endeavouring to be succinct.
 - (d) No new evidence shall be introduced, other than in relation to areas of agreement and disagreement following expert conferencing, unless it is specifically in response to matters raised in other pre-circulated briefs of evidence supplied by another party. In such cases the new evidence shall be presented in written form as an Addendum to the primary brief of evidence and it may be verbally presented by the witness.
 - (e) If there is any variation between what the witness says and what is in the brief of evidence, the Panel will assume that the written brief is the evidence unless the content of the brief is specifically amended by the witness;
 - (f) The witness may then be questioned by the Panel.
 - (g) There is no right to cross-examine.
- 3 The same process is to be followed by submitters presenting legal submissions and expert evidence.

- 4 Non-expert evidence (including submitter lay evidence and legal submissions) should be tabled and read aloud on the day that the relevant party appears at the hearing.
- 5 The Panel also requests that all parties (CRC reporting officers, the Applicant, and submitters) calling expert witnesses liaise amongst themselves in order to facilitate their respective experts conferencing on matters relevant to their specific areas of expertise prior to the hearing (including any applicable conditions of consent). The aim of the conferencing should be to identify areas of agreement and disagreement which can then be noted in an Addendum to section 42A reports and expert evidence.
- 6 The Panel will attempt to focus on the issues of contention during the hearing and in deliberations thereafter. So the assistance of the parties to clearly identify areas of expert agreement and disagreement in this manner will be greatly appreciated by the Panel.
- 7 To assist those presenting at the hearing, presentation aids will be available including a whiteboard and data-projector.
- 8 If any party has any issue with the information/directions contained in this minute, please advise Alison Cooper no later than 5pm Friday 3rd July 2020.
- 9 Any correspondence to the Panel should be directed through Alison Cooper, Hearings officer at CRC. Email: Hearing@ecan.govt.nz or PO Box 345, Christchurch 8140, Phone 027 549 7661.



Paul Rogers

Independent Commissioner – Chair - on Behalf of the Panel

Dated: 29 June 2020