

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of hearing submissions and further submissions on the Proposed Waikato District Plan

AND

IN THE MATTER Continuation of Hearings During the Covid-19 Level 4 “Lockdown”

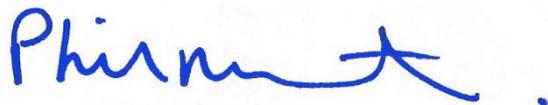
FURTHER MINUTE FROM HEARING COMMISSIONERS

3 April 2020

1. In our Minute of 27 of March 2020, we set out suggested procedures of continuing the Proposed District plan hearing process and invited submitters/further submitters to respond. In particular we invited feedback on whether submitters support continuing with the Proposed District Plan hearing process remotely via video conferencing using Zoom until the COVID-19 Alert level is reduced.
2. In our Minute we set out the process that we proposed could be followed regarding the circulation of evidence and how the hearings would be set up and function using the Zoom technology.
3. In our Minute we stressed that if we were to proceed with this option, there would be no compunction for anyone to participate in a Zoom hearing if they did not want to or could not do so for any reason whatsoever. We also stressed that where any submitter/further submitter was unable to or did not wish to participate in a Zoom hearing, then alternative arrangements would be made to hear their respective submissions at a further hearing, once the Covid-19 alert level allows us to recommence face to face hearings. This is to ensure the principles of natural justice and a submitter’s right to be heard are upheld.
4. We have received 66 responses to our Minute. Of these, 48 were in support of our proposed process, 15 against, or at least expressed some reservations, for different reasons and 3 taking a neutral position.

5. We have met and carefully considered those responses. In doing so we wish to make it clear that our decision is not based on the numbers for or against our proposal. Rather it is based on being able to consider the options for continuing with the hearing process in a positive way, but at the same time ensuring submitters and further submitters are given a fair hearing, while also mitigating the possible challenges that they have raised in their responses .
6. We have decided that for the month of April we will continue with the hearing process using Zoom technology on a trial basis in the manner outlined in our earlier Minute of 27 March 2020. This will involve three hearings being those related to the Country Living Zone, Hampton Downs Motorsport and Recreation Park and Designations.
7. We will review our position on whether to continue with this process at the end of April after further consultation with submitters/further submitters, at which time we will also be able to consider the Covid-19 Alert Levels. At that time we will also be able to consider evidence exchange timetables, this being a particular point raised in responses.
8. Although we will be undertaking those hearings in April, we will not be making any decisions until we have heard all the submissions and evidence at any further hearings on those topics where submitters/cross submitters have asked to be heard in person.
9. We also wish to reiterate that all of the decisions by the Hearings Panel will not be finalised and released until after all the hearings on all topics have been completed. Our current schedule shows this occurring during the middle of 2021, at the earliest.
10. For those that will be attending Zoom hearings during April, the Hearings Administrator will contact individual submitters / further submitters in the days prior to their scheduled appearance at the particular hearing to advise the practical details.
11. Any questions concerning this Minute should be addressed to the Hearings Administrator. Her contact details are as follows:

<u>Email</u>	Districtplan@waidc.govt.nz
<u>Telephone</u>	027 382 0021
12. Finally, and once again, thank you for your responses during this difficult time.



P H Mitchell (Chair)

On behalf of Commissioners P Mitchell, P Cooney, J Gibb, D Fulton, L Te Aho, J Sedgwick and W Maag

3 April 2020