

IN THE MATTER OF: the Resource Management Act 1991
AND IN THE MATTER OF: Proposed Plan Change 49 - Open
Spaces (PC49) to the Operative Upper Hutt
District Plan; and Variation 1 to PC49

MINUTE (4) OF THE INDEPENDENT HEARING PANEL APPOINTED BY UPPER HUTT CITY COUNCIL

RE: INFORMATION REQUIRED BY THE PANEL POST THE HEARING AND ITS TIMING.

Introduction

1. You have received this Minute because you have either made a submission, have been involved in the preparation of, or are an expert witness in the matter of Plan Change 49 and Variation 1 to the Operative Upper Hutt District Plan (PC49 and Variation 1).
2. The Panel heard evidence and submissions from Monday November 27 until Thursday November 30 2023. This Minute is to advise of the Panel's further information requirements prior to receiving the Officers' s42a right(s) of reply for PC 49 and Variation 1. It also sets out an indicative timetable for 2024 (see Figure 1).

Ecological Expert Conferencing

3. The Panel is of that view that it will likely direct an expert conference on matters relating to ecology. It believes that the information coming from that expert conference could affect Council's Right of Reply. It wishes to signal this for Council Officers and other parties so that expert witnesses can be put on notice and dates canvassed.
4. The specific requirements for any expert conference will be set out by the Panel at the end of January 2024.
5. Council officers are **directed to confirm** that should an expert conference on ecological matters be required, the provisional timeframe below is achievable with the appropriate consultants having confirmed their availability. This confirmation is to be delivered to the Panel prior to **4pm Friday December 15 2023**.

Cultural Information to be provided first

6. Noting that this may affect the directions for the ecological assessments, the Panel **directs** that before 4 pm December 15 2023, Council officers are to provide the Panel with all information it holds for
 - a. all Treaty Settlements for the rohe,
 - b. any cultural values evidence or impact assessments that may have been provided to Council or by Council in its evidence to other hearings that contain cultural information about the land which is the subject of this hearing
 - c. Any other information which Council may hold on cultural matters which is pertinent to this hearing

- d. Iwi Environmental Management Plans
- e. Noting that all the above matters will be posted on the Council website and made publicly available, should any matters be sensitive and need to be disclosed to the Panel using the provisions of section 42 of the RMA the Panel is to be advised of such and they are to be treated separately.

Matters for the right of reply

- 7. In 2024, the Panel will set out a separate minute for officers regarding exactly what it wishes to see covered off in Council’s Right of Reply. In order to write a detailed and clear minute, the panel wishes to obtain from Council officers a list of all the requests that they identified during the hearing. The Panel requests that (subject to workload) this list is provided to the Panel by close of business **Friday 15 December 2023**. If this timeframe cannot be met, the Panel directs that it be provided no later than 4pm Friday January 19 2024.

Provisional timeline

DECEMBER 2023:	Internal Council information gathering of Cultural documents as set out below. Officers to provide the Panel with a list of requests for information raised during the Hearing
JANUARY 2024	Minute from Panel setting out request for ecological expert conferencing. Minute from Panel setting out specific requests for Right of Reply
FEBRUARY 2024	Ecological expert conferencing and preparation of joint witness statement to take place. Joint witness statement to be in the hands of Council 42a author/s by end of February.
MARCH 2024	Council’s Right of Reply to be finalised and circulated to Panel no later than w/c March 18 2024.
APRIL 2024	Deliberations April 2024
MAY 2024	Report to Council

Figure 1 - Provisional timetable as at December 2023



Sue Wells
Chairperson, on behalf of the Independent Hearings Panel
 06/12/2023