

**IN THE MATTER OF:
AND IN THE MATTER OF:**

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

MINUTE (7) OF THE INDEPENDENT HEARING PANEL APPOINTED BY UPPER HUTT CITY COUNCIL

RE: EMAIL FROM RFABNZ REGARDING EXPERT CONFERENCING

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. Council received an email on Friday December 15 2023 from Tim Williams, Senior Environmental Lawyer of the Royal Forest and Bird Protection Society of New Zealand Inc. Mr Williams' email, to be published on the PC49 website, reads,

Dear Hearing Panel,

We note the request for dates of availability for expert conferencing.

Forest & Bird is concerned that it would not be appropriate for the proposed experts to conference in the absence of a brief of evidence from Mr Goldwater (Wildlands).

So far as we are aware, Mr Goldwater did not give evidence at the hearing, and we have not seen a written brief of evidence. As a result, our expert Dr Maseyk would not be able to be sufficiently informed in advance of the conference to make the process efficient and worthwhile.

We also note that it is most unusual for an expert to be included in expert conferencing where that expert has not prepared a brief of evidence or given evidence at the hearing.

Please can these concerns be addressed before any further steps are taken in relation to expert conferencing.

3. The Panel has considered the email. It has determined that in the first instance it will invite all submitters and direct the Council to provide feedback on the matters raised. Feedback should be provided in writing to the Hearings Manager, Hayley.Boyd@UHCC.govt.nz by 4pm on Friday 9 February 2024.



Sue Wells
Chairperson, on behalf of the Independent Hearings Panel
30/01/2024