

IN THE MATTER OF the Resource Management Act 1991
AND
IN THE MATTER OF Proposed Plan Change 2: Pukehangi
 Heights to the Rotorua District Plan
 under Part 5, Sub-Part 5 -
 Streamlined Planning Process and
 Schedule 1 Part 5 of the RMA.

**SECTIONS 41B & 41C RESOURCE MANAGEMENT ACT 1991
DIRECTIONS & HEARING PROCEDURE**

1. By Direction (NZ Gazette dated 17 December 2019), the Minister for the Environment accepted Rotorua District Council's application to use the RMA's Streamlined Planning Process (SPP) for proposed Plan Change 2: Pukehangi Heights (PC2) to the Rotorua District Plan.
2. Pursuant to section 34A of the Resource Management Act 1991 (RMA), Rotorua Lakes Council ("Council") has appointed and delegated to David Hill (Chair), Robert van Voorthuysen and Antoine Coffin, Hearing Commissioners, the power to hear, report and make recommendations to the Minister on PC 2.
3. Submissions on PC2 closed on 20 February 2020; further submissions closed on 19 March 2020, and the Minister agreed to extend the Direction timetable for a hearing on 22 June 2020 to enable the completion of the stormwater / flood modelling.
4. A hearing for PC2 is scheduled to commence Monday, 14 September 2020 at Rotorua Lakes Council, and will continue as required through to Thursday, 17 September 2020.
5. In order to facilitate the hearing process, the Hearing Panel issues the following directions under s41B and 41C of the RMA:
 - (a) The s42A hearing report and associated technical reviews and evidence shall be made available to parties no later than 5.00pm on Monday, 24 August 2020 and shall be placed on Council's website;
 - (b) Expert witnesses for the Council, acting as proponent of PC2, need not repeat detailed material from any technical reports that they authored and which are available on the Council's website. It will be sufficient for their evidence simply to cross-refer to that material;
 - (c) Any submitter expert evidence (as that term is used in section 7 of the Environment Court's Practice Note 2014) shall be lodged with Council no later than 9am on Monday, 7 September 2020, and shall be placed on Council's website forthwith;
 - (d) Any legal submissions shall be lodged with Council no later than 9am on Friday, 11 September 2020, and shall be placed on Council's website forthwith;
 - (e) Supplementary legal submissions addressing matters arising during the hearing prior to the client party's appearance may be made;
 - (f) For the avoidance of doubt, lay (non-expert) presentations (whether verbal or written) can be made on the day of appearance and do not need to be pre-circulated;
 - (g) Unless otherwise advised, expert evidence will be taken as read, so experts should prepare an executive summary of their evidence for presentation at the hearing on the day. The executive summary should be no more than 5 pages;
 - (h) Once Commissioners have read the pre-circulated evidence we will advise

identified experts should we require a more detailed presentation of their primary evidence;

- (i) While Schedule 1 clause 78(6) RMA removes the usual first instance hearing restrictions on questioning and cross-examination under the SPP, that is not encouraged. However, should any party wish to avail itself of that option, they must advise the Panel (through Ms de Brouwer) no later than 9am, Friday 11 September 2020 of the name(s) of any expert witness and their area of expertise that they wish to question / cross-examine, with an estimate of the time anticipated for that purpose;
 - (j) The hearing will proceed generally as follows:
 - (i) Outline of PC2 and submissions by Council as proponent of PC2;
 - (ii) Tangata whenua submitters;
 - (iii) Stormwater-related issues and submissions on that topic;
 - (iv) Submitters with a direct interest in land within or adjacent to the Structure Plan area;
 - (v) Other submitters;
 - (vi) Council's s42A author's response;
 - (vii) Council's response as proponents of PC2 (including any rebuttal evidence).
6. Any submitter wishing to present their submission in te reo Māori should make that known to Council no later than 4pm, Monday 7 September 2020 so that necessary arrangements can be made for interpreter / translation services.
7. Any correspondence relating to this Direction is to be sent through Ms Karlee de Brouwer, Rotorua Lakes Council, at Policy.Planning@rotorualc.nz .



David Hill
Chair, Hearings Panel
19 August 2020