

**Greater Wellington Regional Council  
Proposal for Greater Wellington's Regional Pest  
Management Plan**

**pursuant to the Biosecurity Act 1993**

**HEARING PLAN  
on preparation for hearing of submissions**

## NOTICE OF HEARING

1. Notice is given that a hearing by the Council has been set to consider the Proposal for the Greater Wellington Regional Pest Management Plan and submissions received.
2. The dates and venues for the hearing of submissions are set out below. Sitting times for the hearing are 9:30am – 4:30pm.

### Hearing Dates

Date: 23<sup>rd</sup> October and 24<sup>th</sup> October 2018  
Location: CNR Cornwall Street & Waterloo Rd, Lower Hutt 5040  
Venue: Angus Inn

### Council Officer Reply Hearing day

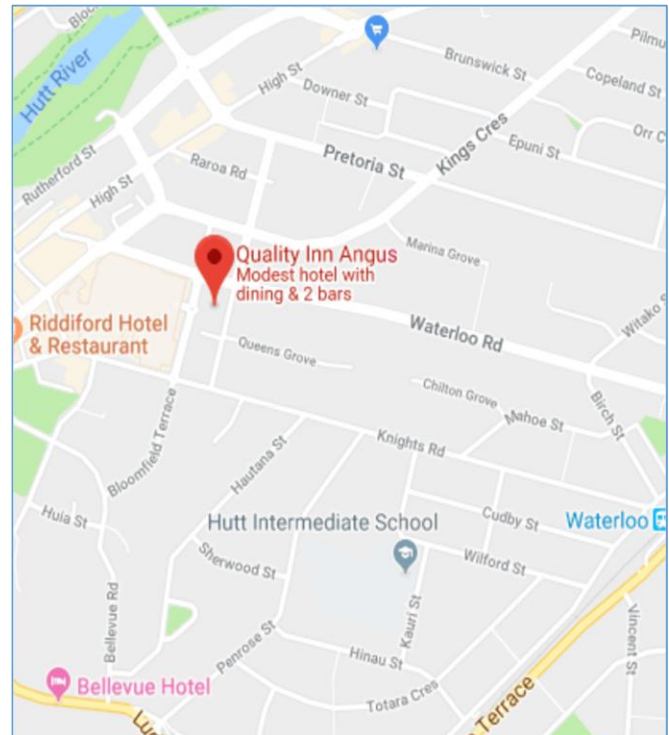
Date: 1<sup>st</sup> November 2018  
Location: CNR Cornwall Street & Waterloo Rd, Lower Hutt 5040  
Venue: Angus Inn

## HEARING PANEL MEMBERS

- a. Councillor Jenny Brash (Chair)
- b. Councillor Adrienne Staples
- c. Mr Rawiri Faulkner
- d. Mr John Simmons

## LOCATION

3. Angus Inn is situated on the corner of Cornwall Street & Waterloo Rd, (5 Cornwall Street) Lower Hutt 5040
4. There is visitor parking spaces on-site 35 – 40 parks available and there is pay and display parking available on Cornwall Street. There is 1 disabled car park available.
5. The hearing will be held in the Bloomfields (ground floor).



## CONFIRMATION OF WISH TO BE HEARD

6. Submitters will be allocated 15 minutes to speak to their submission and/or call evidence. If submitters require more time, they are required to advise the Hearing Officer when they confirm their wish to be heard and give reasons for the additional time required.
7. Any additional time allocations will be set in light of the content of each submitter's submission, evidence (if any) and the time estimate and reasons provided by the submitter.
8. Submitters who wish to be heard at the public hearing must confirm their intention and availability no later than **10<sup>th</sup> October 2018**, and advise:
  - a. What date they would prefer;
  - b. Whether they require more than 15 minutes to speak to their submission and/or call evidence, and if so, an estimate of time and reasons for the additional time requested;
  - c. Whether they have any special requirements (e.g. projector and screen);
  - d. Whether they wish to present evidence in Māori or sign language;
  - e. Whether they intend to call expert evidence.

## STAFF RECOMMENDATIONS REPORT

9. Council staff are directed to prepare a Staff Recommendations Report containing:
  - a. A summary of the key issues raised in submissions.
  - b. A summary of submissions received on the Proposal and staff recommendations in response to each submission.
  - c. A further assessment against the consultation requirements in section 72 of the Biosecurity Act 1993 (BSA) since the Council meeting on 16 August 2018.

The Staff Recommendations Report will be available on the website on and from **4pm on Friday, 5<sup>th</sup> October, 2018**.

## PROVISION OF WRITTEN EVIDENCE

10. To allow for the Hearing Panel to read the evidence prior to the hearing, submitters who intend to call or give evidence are to provide a written statement of the evidence of each witness so that it is received by the Council by **4pm on Friday, 12<sup>th</sup> October 2018**. Please note that this applies to all written evidence, including both expert and lay evidence. Due to the limited timeframes extensions to this date will not be granted.
11. It is noted that if lay persons wish to present evidence but do not wish to prepare a written statement of evidence, they may attend the hearing and make an oral presentation within the time allocation specified.
12. This timetable is established because the Hearing Panel considers that the scale and significance of the public hearing makes this direction appropriate. The statements of evidence will be posted on the website.

## SERVICE ON THE COUNCIL

13. Any information or evidence required and any memorandum or application to the Hearing Panel, may be lodged:
  - a. In writing, addressed to Greater Wellington Regional Council, 1056 Fergusson Drive, Upper Hutt, PO Box 40847, marked for the attention of Tim Gale;
  - b. By delivery to Greater Wellington Regional Council, 1056 Fergusson Drive, Upper Hutt, 5018, Wellington;
  - c. By email to [pestplan@gw.govt.nz](mailto:pestplan@gw.govt.nz)

## THE HEARING PROCEDURE

14. The hearing is open for any person to attend and observe proceedings, but only submitters (or their representatives) who have made prior arrangements with the Hearing Officer will be permitted to speak at the hearing. There will be public seating available at the back of the room. Public seating will be on a first in, first served basis.
15. The Hearing Panel will read submissions and evidence in advance, and take such materials as read, so time allocations can be set to allow submitters to provide an executive summary of their submission and/or provide evidence in response to new issues and/or provide rebuttal evidence.
16. Submitters will not be permitted to cross-examine witnesses. The Hearing Panel may question submitters and witnesses.
17. Submitters who have not made prior arrangements and scheduled an appearance timeslot with the Hearing Officer will not be permitted to speak at the hearing unless the Chairperson exercises discretion and grants permission.
18. Submitters giving presentations should arrive 30 minutes before their pre-arranged timeslot in case proceedings are running ahead of time.
19. The use of cellular phones is not permitted during the hearing.

## PRINCIPLES OF HEARING PROCESS AND HEARING SESSIONS

20. The Hearing Panel will establish and conduct a hearing process that:
  - is appropriate and fair: the Hearing Panel will at all times act in a fair and transparent manner;
  - avoids unnecessary formality: the Hearing Panel will be inclusive and acknowledge the broad range of interests of submitters and facilitate a process that provides all parties the opportunity to be heard, whether presenting oral or written submissions and evidence;
  - is efficient: the Hearing Panel will conduct an efficient process which minimises time and costs to all parties participating in the hearings. The Hearing Panel will provide all submitters with an adequate opportunity to be heard, while, at the same time, avoiding unnecessary repetition and presentation of irrelevant material;
  - recognises tikanga Māori: the Hearing Panel will receive evidence written or spoken in Māori when requested to do so by a submitter who has given sufficient advance notice to enable an interpreter to be available; and

- recognises New Zealand sign language: the Hearing Panel will receive evidence in sign language when requested to do so by a submitter who has given sufficient advance notice to enable an interpreter to be available.

## OTHER MATTERS

21. The Chairperson, with or without conferring with fellow Panel members, may make further directions or requests during the course of the hearing.
22. The Panel understands that making presentations can be a difficult and daunting experience for some people. The Chairperson will ensure proceedings are generally as informal as they can be to reduce the 'fear-factor' and make presenting as easy as possible in the circumstances.
23. The "Staff Recommendations Report" is NOT binding on the Hearings Panel and has no special status. It is simply the opinion of Council officer(s) who have had the task of evaluating written submissions and further submissions received.

## WEBSITE

24. All information relevant to the hearings will be made available on the Council's website: <https://haveyoursay.gw.govt.nz/pestplan>

## EVIDENCE RECORDING

25. An audio record of the hearing will be maintained and made available to submitters on the website.
26. Excerpts from the audio record may be transcribed, if appropriate, where the Panel requires it or receives an application and makes a direction for transcription.

## ACCEPTANCE OF LATE SUBMISSIONS

27. The following submissions were received on the Proposal by the Council after the date for making submissions closed on 27 July 2018 (together, the **Late Submissions**):
  - a. UHstop 1080 – 28 June 2018 (technical issues)
  - b. Churton Park Predator Free (sic) – 28 June 2018
  - c. Balance, Allison – 29 June 2018 (technical issues)
  - d. Wellington Botanical Society (amended submission) – 30 June 2018
  - e. SPCA – 30 June 2018
  - f. Kapiti Coast District Council (additional statement to submission) – 1 August 2018
  - g. Department of Conservation (additional statement to their submission) – 3 August 2018
  - h. Lequesne, Lana – 9 August 2018

- i. Wellington City Council (final submission provided following lodgement of provisional submission) – 10 August 2018
28. The Late Submissions were all provided before submissions were made available on the website for viewing. Further, no Notice of Hearing had been issued and directions for the filing of evidence had not yet been made.
29. Sections 72(1)(a) and (b) of the BSA requires us to be satisfied that if Ministers' or local authorities' responsibilities may be affected by the plan, the Ministers or authorities have been consulted. The Council has identified that the interests of the Minister of Conservation, Kapiti Coast District Council and Wellington City Council (among others) may be affected by the plan, and therefore should be included.
30. The Hearing Panel is also required to be satisfied under section 72(1)(d) of the BSA that, if consultation with other persons is appropriate, sufficient consultation has occurred.
31. We consider that the acceptance of the late submissions will assist with meeting these requirements of the BSA and that no persons will be prejudiced by the late filing of these submissions.
32. Accordingly, the Hearing Panel accepts the Late Submissions as valid submissions on the Proposal. This means that these submissions will be included in the summary of submissions in accordance with the Panel's directions set out above.

#### **ACKNOWLEDGEMENT OF ANY POTENTIAL CONFLICTS OF INTEREST**

33. Having reviewed a list of submitters, the Hearing Panel have identified those submitters with whom the Hearing Panel have current or have had previous associations:
  - a. Councillor Jenny Brash (Chair) is the GWRC representative on the Te Awarua o Porirua Harbour and Catchment Community Trust and a member of Guardians of the Inlet (both have made submissions). Years ago she was a member of Forest and Bird but not currently.
  - b. Mr John Simmons has had past associations with MPI and DOC in a professional capacity but has no conflicts of interest with this hearing.
  - c. Councillor Adrienne Staples and Mr Rawiri Faulkner have no recognised or identified potential conflicts of interest with any submitters.
34. The Hearing Panel is satisfied, subject to any matters submitters might raise, that any perceived conflicts of interest can be dealt with by this disclosure, and there is no need for any Panel member to recuse themselves from considering and determining any of the submissions.

35. If any submitters takes a different view, or wishes to raise additional matters, they are to alert the Council as a matter of urgency.