

**DIRECTIONS OF THE COMMISSIONERS****MINUTE 4****INTRODUCTION**

- [1] On 25 March 2020 we issued Minute 1 setting out, amongst other things, a timetable for the circulation of evidence prior to the hearing currently scheduled to commence on 13 May 2020.
- [2] It would not have been possible to undertake a site visit scheduled for Tuesday 12 May 2020 under Covid-19 Level 3 restrictions. The commissioners therefore decided that the hearing should be postponed. Due to existing commissioner commitments a rescheduled hearing cannot occur prior to the week commencing 15 June 2020.
- [3] At this stage we have assumed:
- Site visit on Tuesday 16 June 2020
  - Hearing commencing on Wednesday 17 June 2020
- [4] The commissioners recognise that postponing the hearing also enables more time to be provided for the caucusing of experts, the preparation of Joint Witness Statements, and the preparation of rebuttal evidence by both the TDC section 42A report authors and experts and the Incorporation's experts.
- [5] We understand that liaison between counsel for the Incorporation and the TDC has resulted in an agreed revised timeline as set out below.

**Revised timeline**

- [6] The dates set out in paragraphs [23] to [25], [32], [37] and [39] of Minute 1 are rescinded. Any procedural requirements contained in those paragraphs are unaltered and are to be complied with. Revised dates are as follows:
- Section 42A report authors and experts to respond in writing to the commissioners' written questions by 5pm on **Friday 15 May 2020**;
  - Section 42A report authors and experts to lodge any rebuttal evidence addressing matters raised in the Incorporation's evidence by 5pm on **Friday 15 May 2020**;
  - Expert witness conferencing is to occur at the convenience of the respective experts. Joint Witness Statements to be prepared by 5pm on **Friday 29 May 2020**. Procedural matters relating to expert witness conferencing set out in paragraphs [35] to [38] of Minute 1 are unaltered;
  - Incorporation experts to lodge any rebuttal evidence addressing matters raised in the section 42A report authors and experts' material, or submitter expert evidence, to be prepared by 5pm on **Friday 5 June 2020**;
  - Incorporation experts to respond in writing to the commissioners' written questions by 5pm on **Friday 5 June 2020**;
  - Council legal submissions to be prepared by 5pm on **Friday 5 June 2020**; and
  - Incorporation legal submissions to be prepared by 5pm on **Tuesday 9 June 2020**.
- [7] Paragraph [42] of Minute 1 applies to all written material referred to above.
- [8] We have assumed that pre-hearing meetings (paragraph [32] of Minute 1) are not required.



Rob van Voorthuysen  
**Independent Commissioner - Chair - on Behalf of the Commissioners**  
7 May 2020