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**DIRECTIONS OF THE COMMISSIONERS****MINUTE 2****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] Paragraph 43 of Minute 1 provided that hearing participants wishing to deviate from any timetable or other requirement identified in that Minute could do so by way of a written request addressed to the Commissioners. We have received such a request from the Taupō District Council (Council) dated 9 April 2020.<sup>1</sup>

**COUNCIL REQUESTS**

- [3] The Council has requested:
- An opportunity to provide rebuttal evidence on matters raised in expert evidence lodged by the Incorporation, with the delivery date for any such Council rebuttal evidence being 4.00pm Friday 8 May 2020. The Council notes this will not extend the existing timetable as that date is currently set for rebuttal evidence from the Incorporation (in response to any expert evidence lodged by submitters); and
  - That the delivery date for expert Joint Witness Statements be extended from 4.00pm on Wednesday 6 May 2020 to 4pm Monday 11 May 2020.
- [4] The Council contends that enabling these steps in the process will assist with narrowing the range of matters contested and therefore make more efficient use of hearing time.
- [5] We agree.
- [6] In terms of procedural fairness, we note that under the Council's request rebuttal evidence from both the Incorporation (in response to submitter expert evidence if any) and the Council (in response to Incorporation expert evidence) will be received by the Hearing Administrator on the same day (Friday 8 May 2020).
- [7] We do not consider that this disadvantages the Incorporation as the primary evidence of their experts will be able to address matters raised by Council experts, as the evidence of the Council experts will form part of the Section 42A report which is due on 22 April 2020. If experts for the Incorporation disagree with matters raised in Council rebuttal evidence and timing does not allow that disagreement to be set out in a Joint Witness Statement, then those areas of disagreement can be addressed by the tabling of supplementary material at the hearing by the Incorporation experts.

**DETERMINATION**

- [8] We hereby amend the evidence exchange timetable set out in Minute 1 as follows:
- Experts called by the Taupō District Council may provide rebuttal evidence to the Hearings Administrator, responding to the evidence of experts for the Incorporation, on or before 4.00pm **Friday 8 May 2020**; and
  - The deadline for the submission of Joint Witness Statements to the Hearings Administrator is extended to 4pm **Monday 11 May 2020**.



Rob van Voorthuysen

**Independent Commissioner - Chair - on Behalf of the Commissioners**

Dated: 15 April 2020

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<sup>1</sup> Memorandum signed by Hilary Samuel (Senior Policy Advisor) and Matt Bonis (Consultant Planner).