

IN THE MATTER of the Resource Management Act 1991.
AND
IN THE MATTER of Submissions and Further Submissions
on the Proposed Plan Change 3 to the
Rangitikei District Plan.

Minute 1
Proposed Plan Change 3 Hearing Procedures

11 September 2026

Introduction

1. The purpose of this Minute is to outline hearing processes and procedures for the consideration of Proposed Plan Change 3 (PPC3) to the Rangitikei District Plan and the submissions and further submissions received.
2. We have been delegated authority from Rangitikei District Council (RDC) to consider the above matter. A hearing has been scheduled on Tuesday 3rd and Wednesday 4th November 2026, with a reserve day available on Friday 6th November, to assist us in making our determinations.

Hearing Arrangements

3. The hearings are to be held at the:

Rangitikei District Council Chambers

46 High Street

Marton

4. The Dates are:

Tuesday 3rd and Wednesday 4th November 2026, with a reserve day available on **Friday 6th November**. All days will commence at **9.30am**.

5. The Council Chambers has all the necessary audio/visual requirements for the hearing including the ability for submitters or their advisers to participate on line, via MS-Teams or Zoom, if required. In this regard we definitely have a preference for in person appearances should that be practical for participants to do so. The hearings will be recorded and livestreamed.

The Membership and Role of the Hearing Panel

6. Three commissioners have been appointed with all being accredited Hearings Commissioners and hold certification under the MfE (now MCERT)/LGNZ Making Good Decisions Programme. The Hearing Panel is:
 - **Lindsay Daysh** - Planner based in Wellington, as Chair;
 - **Leanne Hiroti** - Independent Commissioner based in Whanganui;

- **Juliet Johnson** - Planner, based in New Plymouth.
7. The Hearings Panel will seek to ensure that, to the greatest extent practicable, the most appropriate, fair, and efficient hearing process is established while complying with the requirements of the Resource Management Act 1991 ('the RMA').

Timetabling

8. Procedures for the pre-exchange of evidence are provided for in the Act. This is a requirement for all evidence at hearings.
9. For the Hearings there will be staggered process of submission of the s42A Report, Expert evidence, rebuttal evidence from the section 42A author, lay evidence and legal submissions, and a Council right of reply.

Planning Advisors and Other Council Experts

10. Section 42A of the RMA provides for preparation of reports summarising and evaluating submissions relevant to the hearing topic and making recommendations on potential amendments to PPC3 in response to submissions. Section 42A reports will be prepared either by Council Planning Advisors or external planning consultants, and supported, where necessary, by expert evidence. Such expert evidence might also be prepared either by Council staff or external consultants.
11. Section 42A reports and any supporting expert evidence will be uploaded to the Hearings website a minimum of 20 working days prior to the hearing to which they relate.
12. Once section 42A reports are available online, the Hearings Administrator will email submitters who indicated they wished to be heard on the relevant topic, providing an electronic (PDF) copy of the relevant section 42A report(s). Hard copies of the section 42A reports will also be available from the Hearings Administrator on request.
13. The Hearings Panel has determined that it would be assisted by pre-circulated Rebuttal Evidence/ Hearing Statement. This will apply to the section 42A report authors or other Council expert witnesses, to give them the ability to respond to expert evidence circulated by submitters to either explain the reasons why they disagree with that evidence or confirming their agreement with it. The statement should also identify any consequential

changes to their recommendations including a revised marked-up version of the Plan provisions where relevant.

14. Submitters who wish to call expert evidence contradicting the evidence of other submitters can also utilise this opportunity. Rebuttal is not, however, an opportunity for submitters to delay their response to the section 42A report and supporting evidence.

Submitter Presentations

15. All submitters who have given notice of their intention to be heard on PPC3 are entitled to appear at the hearing. Submitters may appear either in person or through their authorised representative (including but not limited to legal counsel), and a submitter's case may also be assisted by their bringing expert evidence before the Hearing Panel.
16. Verbal presentations may take the form of submissions/representations or lay evidence. The difference between the two is that submissions/representations advocate for a particular outcome. Lay evidence is an objective statement of fact or opinion on matters relevant to the determination of an outcome.
17. All legal submissions and other written presentations that are longer than three A4 pages in length should be lodged with the Hearings Administrators not less than two working days before the commencement of the hearing, unless otherwise directed. If a submitter wishes to present their submission using a power-point presentation, they should similarly provide the power-point in an electronic format to the Hearings Administrators at least two working days prior to the commencement of the hearing. This is to ensure compatibility with the electronic system at the hearing venue.
18. Submitters have the option of presenting written representations on the day of the hearing, and read it aloud provided it is not longer than three A4 pages in length. If submitters are going to do this, it would benefit us if they are sent electronically to the Hearings Administrators prior to the hearing.

Expert Evidence

19. Submitters are entitled to legal and expert representation. An expert is a person equipped by training and experience to provide expert opinion on issues of relevance to the determination of the final form of the plan change. While most experts will have academic

qualifications, that is not a prerequisite. Kaumātua and kuia do not need a university degree to be expert at the cultural values of their iwi or hapū. Likewise, many people have acquired significant expertise 'learning on the job'.

20. The key thing is for an expert witness to demonstrate to the Hearings Panel both that they have the expertise to advance the opinions they provide, and the ability to act independently of the submitter who calls them to give evidence. Experts are required to confirm they agree to comply with the Environment Court Code of Conduct for Expert Witnesses¹.
21. Expert evidence for submitters should be directed at the relevant section 42A report, identifying points of agreement and disagreement with precise cross referencing to the section 42A report, including in the case of planning witnesses, a marked-up version of the Plan provisions showing changes recommended from the section 42A report version. If the expert considers the section 42A report has not addressed a particular point, that should be dealt with separately.

Tabled evidence/representations

22. Where a submitter or their representative is unable to attend the hearing for a particular topic, they may choose to table written material (statements) in support of their submission. Such written material must be provided to the Hearings Administrator not later than the last day of the hearing.. Submitters should be aware that tabled evidence may be given less weight because the Hearings Panel has been unable to ask questions of the witness/submitter.
23. The timetabling can be shown as follows:

	Hearing Step	Timing/ Deadline
1	Section 42A officers Reports.	Four weeks (20 working days) prior to hearing. This is 5pm Monday 5 October .

¹ <https://environmentcourt.govt.nz/assets/Practice-Note-2023-.pdf>

2	Submitters confirm request to be heard, advise preferred timing and where applicable, ask for more time than default 15 minutes (with reasons)	5 working days after release of section 42A reports. This is 5pm Monday 12 October.
3	Expert Evidence.	10 working days after release of section 42A reports. This is 5pm Monday 19 October.
4	Requests for submitter or specified witnesses to appear virtually (by MS-Teams or Zoom).	Same day as expert evidence, as above but earlier if possible.
6	Rebuttal Evidence/Hearing Statement from officers on any matters of contention with the expert evidence received.	4 working days before hearing commences. This is 5pm Tuesday 27 October.
6	Legal Submissions, written representations longer than 3 A4 pages, and power point presentations.	2 working days before hearing commences. This is 5pm Thursday 29 October.
7	Expert summaries and written representations 3 A4 pages or less.	When you appear (but earlier if possible).
8	Tabled Evidence and Representations	2 working days before hearing commences. This is 5pm Thursday 29 October.
9	Officers Right of Reply	Ten working days after the conclusion of the hearing noting that the timing for this will be confirmed at the conclusion of the hearing.

Format of Hearings

24. The hearing will generally proceed in the following order:
- a. Hearing days will commence (and end) with a karakia. The Chair will then introduce the Hearings Panel, cover any preliminary issues and invite any party wishing to raise procedural issues to address the Hearings Panel.
 - b. The section 42A report authors will speak to their reports and rebuttal evidence, followed by any supporting expert witnesses for the Council. As with submitters, section 42A authors and other Council expert witnesses can provide a written summary usually no longer than three pages but longer if required when the issues are complex. The Hearings Panel will ask each section 42A author questions.
 - c. Submitters will then be heard in the order set out in the Hearing Schedule prepared for the hearing when this is available;
 - d. Formal adjournment of the hearing.
25. Each submitter will be allocated a time to appear in front of the relevant Hearings Panel. It is recommended that you arrive at least 30 minutes before you are due to speak primarily to provide for the possibility that the hearing may be going quicker than scheduled.
26. Any expert witnesses have the opportunity to speak to a written summary of their evidence, covering the main points. It is not expected that expert witnesses will read the executive summaries in their pre-circulated evidence as the Hearings Panel will already have read it.

Site Visits

27. The Hearings Panel intends to undertake site visits in order to better understand the issues and the-specific context of some of the submissions that have been lodged.
28. If any submitter believes it would assist the Hearings Panel to undertake a site visit of their property, they are invited to contact the Hearings Administrator at latest by the deadline for submitter expert evidence.

Te Reo and New Zealand Sign Language

29. In recognising Tikanga Māori the Hearing Panel will receive written or spoken evidence in Te Reo, if and when requested to do so by a submitter who has given at least one week's notice to enable an interpreter to be available.
30. Similarly to recognise New Zealand sign language the Hearings Panel will receive evidence in sign language, if and when requested to do so by a submitter who has given at least one week's notice to enable an interpreter to be available.

Key Contacts.

31. The primary point of contact for all matters relating to the detailed administration of the hearing is the Rangitikei District Council's Strategy Manager, Tiffany Gower. She can be contacted via emailing districtplan@rangitikei.govt.nz or via phone on 027 532 0365.
32. If any aspect of this Minute is unclear, email or telephone Tiffany. If she cannot answer your query, she will pass it on to the Chair to address.



Lindsay Daysh

Independent Commissioner

Chair Proposed Plan Change 3 Hearing Panel