

HUTT CITY COUNCIL
RM240334
LAND USE CONSENT – PROPOSED CLEANFILL
1044 COAST ROAD, WAINUIOMATA
MINUTE 2 OF THE INDEPENDENT HEARING COMMISSIONER

Introduction

1. This morning, I was advised by the Council's hearing advisor, Ms Shetty, that she received a message from the applicant regarding the evidence pre-circulation timetable.
2. Namely, the applicant advised that its landscape expert is now on maternity leave and that it has had some difficulty in finding a replacement in short time. The applicant has requested that a one-week extension be granted for the circulation of its landscape evidence. The remainder of the applicant's evidence will be provided on time as directed in my previous minute.
3. The general purpose of this Minute is to respond to the applicant's request and to make corresponding changes to the timetable to ensure procedural fairness for all hearing participants.

Request for extension granted

4. The applicant's request is granted on the following basis:
 - (a) evidence from the applicant's landscape expert is to be provided by 3pm on **Monday 8 December 2025**;
 - (b) the balance of the applicant's expert evidence will be provided by 3pm on **Monday 1 December 2025**.

Consequential changes for submitters' experts

5. If any submitter intends to call expert evidence on landscape or visual effects, fairness dictates that those experts are afforded additional time to prepare their evidence inclusive of the ability to comment on the applicant's landscape evidence.
6. This can be provided for in one of at least three ways. The first involves a change of hearing date. Given the commitment I have already sought from other parties, the limited scope of the applicant's delayed evidence, and the hearing arrangements made by the Council, my preference is to proceed with the current hearing date.
7. The other two options that immediately occur involve:
 - (a) any expert landscape evidence from submitters being delayed by one week such that it is tabled on the first morning of the hearing; or
 - (b) any such evidence being staged, whereby the original timetable I set out in Minute 1 is to be met, albeit with leave granted for the expert(s) to file a

supplementary statement at the hearing to specifically address matters raised in the delayed evidence from the applicant's landscape expert.

8. Before I make any directions in that respect, I wish to hear from the submitters on the matter. Specifically, **I ask that the submitters please confirm to Ms Shetty by 5pm on Wednesday 26 November:**
 - (a) whether they will be calling any evidence from a landscape expert; and
 - (b) if so, whether they prefer to table that evidence in full at the outset of the hearing, or whether they will accommodate the staged approach I outline above.
9. As a reminder, Ms Shetty's email address is saritha.shetty@huttcity.govt.nz.
10. Also, if submitters intend to call any evidence from experts in other fields apart from landscape and visual (i.e. transportation, flood hazards, etc), the original timetable still applies, and **that evidence remains due at 3pm on Monday 8 December 2025.**

Legal submissions

11. I also extend the timeframe for circulation of legal submissions should any party intend to provide those. Any legal submissions are now required to be provided to Ms Shetty for circulation by **3pm on Thursday 11 December 2025.**

Submitter written presentations

12. In light of the timetable adjustments above, I have decided to withdraw any requirements for submitters to provide written material in advance where it is longer than three pages.
13. Submitters are welcome to table written material in support of their submissions when they present at the hearing.

Potential hearing implications

14. I note that a potential outcome of this change to the timetable is that evidence is received at the start of the hearing. This may dictate the need for some flexibility in how that information is introduced, subject to questions from me, and responded to by others.
15. I make no directions in that respect at this stage, noting this will turn somewhat on the response I have sought from submitters above. I will address this to the extent relevant in a further minute once I have heard from submitters next week.
16. For now, it is sufficient to make parties aware of this potential flow-on effect of the timetable adjustment and the potential need to be adaptable.

Next Steps

17. For the reasons set out above, the timetable for the hearing is modified as follows:

Information / milestone	Timeframe
Council provides s42A report & evidence	24 November 2025 (by 3pm)
Submitters indicate whether calling landscape evidence	26 November 2025 (by 5pm)
Applicant provides expert evidence except landscape	1 December 2025 (by 3pm)
Applicant provides landscape evidence	8 December 2025 (by 3pm)
Submitters provide expert evidence (if any) except landscape	8 December 2025 (by 3pm)
Submitters provide landscape evidence (if any)	To be confirmed by Minute
Legal submissions (if any)	11 December 2025 (by 3pm)
Hearing commencement	15 December 2025

18. If any party has any questions regarding the above, please contact Ms Shetty in the first instance.



J C Jones (Chair)
Independent Hearing Commissioner

21 November 2025