

Minute from the Hearing Panel – regarding:

MJ Peters seeking to file expert evidence (soil science/farm consultant) late.

MJ Peters has sought to file expert evidence from Mr D Edmeades by “mid May” 2019. This is due to family circumstances. This request was received on the 29 April 2019,

The Hearing Panel’s (Panel) Minute in relation to the pre-circulation of expert evidence (dated 18 March 2019) stated at sections 2 and 3:

The hearings will commence on 20 May 2019 and are planned to conclude on the 3 July 2019.

The Hearing Panel directs the following:

- The Council's section 42A report on these hearing topics will be available on the Council's website not later than 5 April 2019. It will only cover the hearing topics set out above.*
- Evidence on these topics is due with the Council's Hearing Coordinator not later than 3 May 2019.*
- Any rebuttal evidence is due with the Council's Hearing Coordinator not later than 10 May 2019.*

Note 1- The evidence exchange dates set out in this Minute are more 'generous' than that those set out in the "Hearing Procedures and Directions" document (dated 5 November 2018). This is due to the nature of the hearing topics. For the avoidance of doubt, the dates for lodgement of evidence specified in paragraph 3 above supersede the timings directed in the Hearings Procedures and Directions document in relation to this block of hearings. Notwithstanding this, you should refer to that document as it sets out a range of matters, including the required evidence format.

The Panel understands Mr Peters’ family circumstances and wishes to be as accommodating as possible. However, the Panel requires all expert evidence and any rebuttal evidence, to be filed before the commencement of the hearings on the 20 May 2019. This is to ensure all parties have had the opportunity to consider all the expert evidence and to be able to respond to it, including in any legal submissions. The Panel also understands that Mr Edmeades had prepared expert evidence (which had not been pre-circulated) and was ready to present this at the hearing on the 29 April 2019.

For the reasons set out above the Panel agrees that the evidence of Mr Edmeades can be filed late, but no later than the 13 May 2019. Any party wishing to lodge rebuttal evidence to that evidence will have until the 17 May 2019 to do so.

A handwritten signature in black ink, appearing to read "Greg Hill", followed by a period.

Greg Hill

Chairman of the Hearing Panel.

30 April 2019