

PRIVATE PLAN CHANGE 17: TE RAPA NORTH INDUSTRIAL

DIRECTION #3

INDEPENDENT HEARING PANEL

PURPOSE

1. The purpose of Direction #3 is to respond to a Memorandum of Counsel on behalf of Fonterra Limited (**Fonterra**) enquiring as to whether any of its witnesses may be excused from attending the hearing in person.

REQUEST

2. Counsel for Fonterra has filed a Memorandum of Counsel dated 6 November 2025 seeking an early indication of any evidence the Panel wishes to take as read. It has identified the following witnesses as potentially falling into this category on the basis that their evidence appears to be beyond contention:
 - (a) Damian Ellerton (Acoustic);
 - (b) Siân Keith (Archaeology);
 - (c) Shane Moore (Contamination);
 - (d) Gerardus Kessels (Ecology – Bats);
 - (e) Fraser Colegrave (Economic);
 - (f) Mark Sinclair (Geotechnical); and
 - (g) Bryce Hourigan (Rail Siding).
3. Direction #1 as to Hearing Protocol confirmed that at the hearing, witnesses will not be required to read their pre-circulated evidence in full at the hearing. Instead, a written summary should be prepared to be read and may include any evidence prepared in rebuttal.
4. With respect to the witnesses listed at paragraph 2 above, if the relevant experts are able to file a short summary statement confirming that they have read all relevant documentation or analysis and are not aware of any disagreement with the s 42A reporting team and/or other experts, then the Panel will take that evidence as read.
5. Mr Colegrave should also confirm, with respect to paragraph 12.2 of his statement of evidence, whether the reference to “10.3 to 10.5 above” is correct.
6. The summary statements should be filed with Fonterra’s rebuttal evidence by 4pm on 20 November 2025.
7. When filing the summary statements and any rebuttal evidence on 20 November 2025, we also invite Fonterra to file a Memorandum of Counsel, having conferred with other Counsel for the Council and those submitters who have filed expert evidence, addressing whether those parties consider that there is value in us directing any expert conferencing in the week of 24 November 2025, and if so on what topics/basis.

DIRECTIONS

8. We will not make any formal directions at this stage but will deal with the excusal of witnesses and any directions for expert conferencing shortly after 20 November 2025.

COMMUNICATIONS TO THE HEARING PANEL

9. All communications to the Panel, including all general enquiries, procedural requests and documents required by any direction of the Panel, are to be emailed to the Hearing Administrator at planchange@hcc.govt.nz.



Vanessa Hamm (Chairperson)
Independent Hearing Panel
14 November 2025