

**Otago Regional Council  
DIRECTIONS OF THE COMMISSIONER**

**Introduction**

- [1] Pursuant to section 34A(1) of the Resource Management Act 1991 (RMA), the Otago Regional Council (ORC) has appointed independent commissioners Ros Day-Cleavin and Rob van Voorthuysen to hear and decide an application from Onumai Enterprises Limited to alter and extend a structure and to occupy the common marine and coastal area with a wharf, floating pontoon, and multi-purpose building at 21 Marine Parade, Taieri Mouth.
- [2] The purpose of this Minute is to set out the timetable for reporting, evidence and legal submissions exchange.

**Hearing**

- [3] The Hearing has been set down for three days and is scheduled to commence on **Wednesday 10 September 2025**.
- [4] The location of the Hearing is the Cargill Room, Scenic Hotel Southern Cross located in High Street, Dunedin.
- [5] The Hearing will commence at **9.00 am** each day.
- [6] The following directions relate to the Hearing:
  - (a) The order of appearance will be:
    - Applicant
    - Submitter(s)
    - Section 42A Report author response
    - Applicant's Right of Reply which may be given verbally at the Hearing or in writing thereafter
  - (b) A Section 42A Report<sup>1</sup> from the ORC will be available on or before **Tuesday 19 August 2025**, allowing the applicant and submitters to have regard to its contents when preparing their evidence. It would be extremely helpful to the Commissioners if the applicant and submitters could indicate in their evidence if they agree or disagree (with reasons) with the Section 42A Report author's recommendations.
  - (c) Pursuant to section 41B(2) of the RMA, the applicant is directed to provide their expert<sup>2</sup> evidence (if any) to the Hearings Administrator by **4.00pm on Tuesday 26 August 2025**. This evidence will be made available to all parties by the Hearings Administrator.
  - (d) If experts for the applicant intend to base their evidence on technical reports that they authored, and which were included as part of the application, then the experts need not repeat material contained in those reports in their evidence. It will be sufficient for the evidence to cross-refer to that material.
  - (e) Pursuant to section 41B(3) of the RMA, submitters who intend to call expert evidence in support of their submissions are directed to provide a written statement of that evidence to the Hearing Administrator no later than **4.00pm on Tuesday 2 September 2025**. This evidence will be made available to all parties by the Hearings Administrator.
  - (f) If submitters intend to provide written evidence themselves, or have non-expert people appear on their behalf, then they are requested and strongly urged to also provide a written statement of that evidence to the Hearings Administrator no later than **4.00pm on Tuesday 2 September 2025**. These statements will be made available to all parties by the Hearings Administrator.
  - (g) If applicant or submitter evidence to be presented by non-expert people is not provided

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<sup>1</sup> A Section 42A Report includes a discussion of the application and the submissions. It recommends (with reasons) whether the consent applications should be granted or not. That recommendation does not bind the Commissioners.

<sup>2</sup> Expert evidence is that written by qualified planners, engineers or scientists, for example, prepared in accordance with the Environment Court's Practice Note for expert witnesses.

to the Hearing Administrator by the above date, then those people should bring ten (10) hard copies to the Hearing.

- (h) If the applicant or any submitters propose to have legal counsel present legal submissions, they are requested to provide those legal submissions to the Hearings Administrator no later than **4.00pm on Friday 5 September July 2025**.
- (i) All original submissions, pre-circulated evidence and legal submissions will be taken as read at the Hearing. Accordingly, pursuant to section 41C(1)(b) of the RMA, the applicant and submitters are directed that all such material will not be read aloud at the Hearing, as that would be an inefficient use of time as the Commissioners will have already read it.
- (j) At the Hearing the applicant's experts may table and read aloud supplementary or rebuttal evidence responding to any expert evidence lodged by submitters. We anticipate that any such evidence will be concise.
- (k) All people appearing at the Hearing will be allowed to verbally and briefly highlight key points from their evidence or legal submissions for the benefit of the Commissioners. The Commissioners will then ask any questions that they may have.
- (l) Should any submitter wish to speak in Te Reo, utilise Sign Language, or utilise visual aids (PowerPoint, etc) they are requested to liaise directly with the Hearings Administrator, as soon as possible, but prior to **Friday 29 August 2025** regarding their needs.
- (m) If any participant intends to attend the Hearing remotely (e.g. by way of Teams) then they must ensure that a copy of all written material that they will refer to or read from (including speaking notes) during their presentation is provided to the Hearings Administrator no later than **4.00pm on Friday 5 September July 2025**.

### **Correspondence**

- [7] Participants must not attempt to correspond with or contact the Commissioners directly. All correspondence relating to the Hearing or this Minute must be addressed to the ORC Hearings Administrator, Karen Bagnall.

### **Service on the Council**

- [8] All evidence and legal submissions addressed by this Minute must be lodged with the ORC:
  - Preferably by email to [consents.applications@orc.govt.nz](mailto:consents.applications@orc.govt.nz)
  - By post addressed to Karen Bagnall, Otago Regional Council, Private Bag 1954, Dunedin 9054.
- [9] Evidence and legal submissions lodged **must** be provided in **Microsoft WORD** format. The documents must be 'unlocked' so that they can be annotated by the Commissioners.



Rob van Voorthuysen  
**Commissioner (Hearing Chairperson)**  
7 July 2025