

Let's
Discuss

Let's
Plan

Let's
Do...

Written comments and hearing plan

1. Preamble

The Minister for Canterbury Earthquake Recovery (CER) has directed the Waimakariri District Council to prepare a draft Waimakariri Residential Red Zone Recovery Plan (RRZRP). The direction was published in the New Zealand Gazette on 31 August 2015.

The Minister's direction sets out the process for the development of the draft RRZRP. This process is to include the development of a preliminary draft RRZRP for the purpose of public consultation, including receiving written comments. A hearing on the preliminary draft RRZRP may be held (as directed under clause 8.3) to inform the preparation of the draft RRZRP.

The Minister's direction includes a number of matters that must be addressed in carrying out the hearing process, but this process is largely at the discretion of the Waimakariri District Council. This hearing plan has therefore been prepared to set out how the hearing will be carried out in accordance with Waimakariri District Council's discretion.

2. Purpose

To set out the process to be adopted for the written comments and hearing on the preliminary draft RRZRP, and ensure that this process:

- complies with the requirements of the Minister's direction;
- adds value to the development of the draft Waimakariri RRZRP, and;
- follows the principles of natural justice.

3. Project Timing

The Waimakariri District Council must provide the Minister for CER with a draft RRZRP by 18 April 2016 or alternate date, as agreed by the parties. With the inclusion of hearings to the programme, the final draft RRZRP is programmed to be provided by 16 June 2016. The projected timings for the various parts of the development of the draft RRZRP are shown in Figure 1 below.

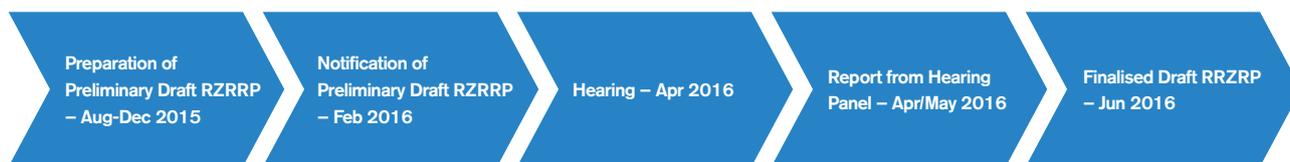


Figure 1. Projected timing for the development of the draft RRZRP

The notification of the Preliminary Draft RRZRP occurred on 5 February 2016, with the hearing to follow on 6-8 April 2016.

4. Written Comments

Clause 8.2 of the Minister's direction states that the Waimakariri District Council must enable an opportunity for comment on the preparation of the draft RRZRP. Clause 8.3 states that Waimakariri District Council may prepare a preliminary draft Recovery Plan for public comment prior to, and as an input to, the draft Recovery Plan.

4.1. Notification

The preliminary draft RRZRP was publicly notified on 5 February 2016 together with a call for written comments to be provided within a period of 20 working days. The notification occurred through:

- A notice in The Press
- A notice on the Waimakariri District Council and project websites
- Local papers
- WDC and CERA publications
- Direct notification via letter to affected stakeholders and the local community
- Engagement events during the consultation period

The notification of the preliminary draft RRZRP included information on where the preliminary draft RRZRP and any background information could be viewed, the period in which written comments was accepted by the Waimakariri District Council, how to make a written comment, what to include in a written comment, and information on the hearing.

4.2. Submission Format

The RRZRP hearings administrator developed a comment form for the use of parties wishing to make a written comment. The form was included with the notification letter sent to stakeholders and the local community, was provided with hard copies of the preliminary draft RRZRP, and was available from the Waimakariri District Council Customer Services team. Written comments were also able to be submitted online via www.redzoneplan.nz.

Written comments were received by Waimakariri District Council through the following methods:

Mail	Freepost "Let's Plan" Waimakariri District Council 215 High Street Private Bag 1005 Rangiora 7440	Email	info@redzoneplan.nz
		Online	www.redzoneplan.nz

Written comments were able to include or attach expert opinion, technical information and any other relevant information.

4.3. People Who Wish To Present To The Hearing Panel

People who made a written comment and wished to present to the Hearing Panel needed to state this in their written comment. They also needed to state whether they wish to present in te reo Maori, or whether they have any special requirements due to a disability, so that such needs could be accommodated. In analysing and summarising the written comments, a list of all those who wish to be heard in support of their comment was compiled.

Waimakariri District Council staff will contact those that state they wish to be heard to provide further details of the hearing and to book a time to speak to their written comment.

Any person presenting on their written comments will need to provide additional copies of their presentation at the hearing.

A schedule for hearing presentations will be provided through www.redzoneplan.nz as required throughout the hearing.

5. The Hearing

5.1. Hearing Panel

The Waimakariri District Council appointed the following Hearing Panel members at a meeting on 6 October 2015:

- Cindy Robinson (Independent Commissioner and Chair)
- Tim Vial (Independent Commissioner) – appointed later with delegated authority to the Chief Executive, Waimakariri District Council
- Mayor David Ayers
- Councillor Neville Atkinson.

5.2. Location

The hearing on the preliminary draft RRZRP is to be held at the Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi.

5.3. Date

The hearing on the preliminary draft RRZRP is to be held from 6-8 April 2016. The hearing is expected to run for 3 working days, depending on the number of people who wish to present on their written comments.

5.4. Information for Hearing Panel

Prior to the hearing, the Hearing Panel will be provided with:

- all publicly available information in relation to the preliminary draft RRZRP
- all written comments received on the preliminary draft RRZRP
- a written comments summary and analysis report prepared by the RRZRP Core Project Team
- a summary report of the engagement events, and 3-D model feedback from the "Let's Plan" consultation period.

5.5. Hearing Format

At the hearing:

- Each person wishing to present on their written comments will be provided a set time within which to speak to their written comments. If a longer time limit is sought this may be requested in writing, stating reasons
- Any presentation must relate only to the matters included in the written comment
- Only members of the hearing panel are able to ask questions of the submitters
- Any person who submitted a written comment and requested to present to the Hearing Panel may have relevant experts explain technical information included in their written comments and respond to questions
- The hearings will be held at times set by the Hearing Panel, but will include at least one session that runs through to 8pm in order to provide for those people unable to attend during normal work hours. The hearing times are as follows:
 - 6 April 2016 9:30am – 8:00pm
 - 7 April 2016 9:30am – 4:30pm
 - 8 April 2016 9:30am – 5:00pm
- The Hearing Panel may amend or waive compliance with these rules of practice if satisfied that this is required to ensure that the hearing is informal and also fair, focussed and timely
- The Hearing Panel may convene a pre-hearing conference following receipt and consideration of the written comments, if it will assist in the efficient running of the hearing
- The Hearing Panel may seek additional information post the hearing if it will assist in the understanding and assessment of the preliminary draft RRZRP.

6. Outputs from the Hearing

6.1. Hearing Panel Recommendations Report

The Hearing Panel must prepare a report and provide recommendations to the Waimakariri District Council on the matters within the written comments, and the presentations made and considered.

6.2. Notification of Draft Waimakariri Residential Red Zone Recovery Plan

People who have provided written comments on the preliminary draft RRZRP and have provided contact information will be directly notified of the public availability of the draft RRZRP.

7. Hearing Administration

7.1. Resourcing

The hearings' administrator will:

- Explain the hearing process, upon request, to all attendees, both prior to and during the hearing
- Liaise with people who wish to present on their written comments to arrange the hearings schedule
- Arrange catering and equipment for the hearing
- Ensure that the venue is suitably set up each day
- Welcome attendees to the hearing and ensure they are adequately prepared
- Work with the Hearing Panel to ensure the hearing runs smoothly
- Arrange copying of written comments and supporting documentation, and manage filing / record keeping
- Update website information, including uploading any additional information presented to the Hearing Panel.

8. Specific Considerations

8.1. Tikanga Maori

In conducting a hearing, the Hearing Panel must have regard to tikanga Maori. As such, people may present on their written comments in te reo Maori if they wish to do so. Waimakariri District Council will provide the assistance of a translator to the Hearing Panel in these instances.

8.2. New Zealand Disability Strategy

In conducting a hearing, the Hearing Panel must have regard to the New Zealand Disability Strategy (NZDS). It is considered that the following two objectives of the NZDS are relevant to the hearing:

6.5 - Make all information and communication methods offered to the general public available in formats appropriate to the different needs of disabled people

6.6 - Ensure the locations and buildings of all government agencies and public services are accessible

As such the information and communications on the notification of and hearing on the preliminary draft RRZRP will need to be made available in formats appropriate to the different needs of people with disabilities.

In order to meet objective 6.6, a venue will be provided on request which is accessible to people with disabilities for all or part of the hearing.