

IN THE MATTER of an appeal under 1st Clause 14 of the
Resource Management Act 1991 (**the
Act**)

BETWEEN MAGDA WILLIAMS
(ENV-2009-AKL-000161)
Appellant

AND MINISTER OF LOCAL
GOVERNMENT
Respondent

BEFORE THE ENVIRONMENT COURT

Held: At Tauranga, Wednesday 14 December 2011

Court: Environment Judge J A Smith sitting alone pursuant to section 309 of
the Act

Participants: Mr J P Koning for Magda Williams (Appellant)
Mr K Frentz for Minister of Local Government (Respondent)

MINUTE OF PRE HEARING CONFERENCE

[1] This matter is in regard to the implementation of a District Plan on Tuhua
(Mayor Island) of the coast of Tauranga.

[2] Parties have indicated two meetings have taken place since the last pre hearing
conference with the Court. Some progress has been made however the trust is still not
satisfied with what has been proposed, especially in areas involving delegation of
powers under the Act.


[3] Mr Frentz advised the Court the Minister has prepared an outline about how
this issue of delegation might be resolved and anticipates a series of discussions about
this with the Trust.

[4] After discussions with the parties the Court believes this matter should be set
on track for a hearing in the second quarter of next year, allowing parties some time to
continue discussions. The parties indicate they will call the following witnesses:



- [a] The appellant will call 3 to 4 witnesses including a planner, cultural expert and trust representatives;
- [b] The respondent will call 1 witness, being a planner.
- [5] The following evidence exchange timetable applies:
- [a] Evidence in chief to be exchanged by 30 March 2012;
- [b] Rebuttal evidence to be exchanged by 20 April;
- [c] Four extra copies of all evidence are to be provided to the Minister, who will paginate, tabulate, index and compile it into level-arch folders to be submitted to the Court by 27 April 2012.
- [6] The hearing is to be heard sometime after 27 April 2012, likely to be in May or June and is expected to take 3 days. An official notice of hearing will be issued in due course. Parties are to confer as to any protocols that need to be undertaken regarding the hearing and site visit.

SIGNED at AUCKLAND this 16th day of December 2011



Judge J A Smith
Environment Court Judge

