

Before Hawke's Bay Regional Council and Hastings District Council

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Application by Hastings District Council and Napier City Council to Hawke's Bay Regional Council for resource consents authorising the operation of Area B at Ōmarunui Landfill

AND

IN THE MATTER of a notice of requirement by Hastings District Council to Hastings District Council for alteration of designation for the Ōmarunui Regional Landfill

**MINUTE OF HEARINGS PANEL
REGARDING ARRANGEMENTS FOR HEARING**

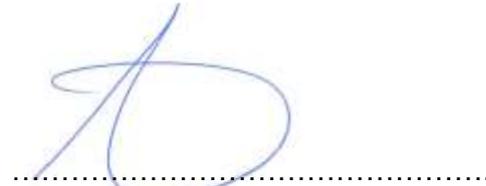
Dated 31 August 2021

MAY IT PLEASE THE COMMISSIONERS

1. The Hearings Panel appointed to determine the resource application and notice of requirement for the operation of proposed Area B of the Ōmarunui Landfill, has received a memorandum from counsel for the Applicants requesting an adjournment of the hearing, currently set down for 16 and 17 September.
2. The Applicants' memorandum was filed in response to an email sent to all parties to the application and notice of requirement this morning, addressing the timing and arrangements for the hearing, in light of the Covid-19 restrictions currently in place.
3. A copy of the Applicants' memorandum is **attached**.
4. The Panel is minded to grant the extension sought by the Applicants, with the prospect that the hearing could then proceed in the conventional way in November, rather than by way of remote access facilities (ie Zoom or Microsoft Teams):
 - (a) For the reasons recorded in the Applicants' memorandum; i.e. having regard to the significance of the Landfill for the Districts and affected community, and the nature of the issues and interests that would be addressed in expert evidence at the hearing;
 - (b) In that regard, with reference to the tests in s 37A(1) of the RMA for a waiver or extension of time, including with the consent of the resource consent applicant concerned; and
 - (c) More broadly, in the interests of ensuring an overall hearing procedure that is appropriate and fair in the circumstances.
5. Before making a final decision on whether to adjourn to a date some time in November (assuming available) as requested, the Panel directs that any submitter objecting to that request advise the Council Consent Administrator (Ms Tinker) of that objection **with reasons for it**, by no later than 5.00 pm 2 September 2021.
6. Further, all parties including submitters are requested to advise Ms Tinker of any dates (Mondays to Fridays) they are not available for a hearing of this matter in November, assuming it is rescheduled for a date in that month.
7. Final directions will then be made accordingly.

8. To the extent required, the waiver sought by the Applicants for the filing of its evidence by 5.00 pm on 2 September 2021 (rather than 9.00 am on that day) is granted.

Dated: 31 August 2021



Martin Williams
Chair of Hearings Panel