

HAWKE'S BAY REGIONAL COUNCIL

PROPOSED PLAN CHANGE 7 (PC7) – OUTSTANDING WATER BODIES

MINUTE 1 OF THE INDEPENDENT HEARING PANEL

INTRODUCTION

1. The Hawke's Bay Regional Council has appointed three independent commissioners to hear and decide submissions on proposed Plan Change 7. They are Mrs Christine Scott, Dr Roger Maaka and Dr Brent Cowie (Chair).
2. This is the first minute of the independent hearing panel. It sets a timetable for the statutory process leading up to the planned hearing which will commence on **Monday 30 November 2020**.
3. The Panel observes that this hearing timeline is dependent on Hawke's Bay remaining at COVID19 Alert Level 2 or less. The hearing cannot take place if the region (and possibly other parts of the country) is at a higher Alert Level; if that is the case the timetable will be amended accordingly. Hearing participants will be able to 'attend' the hearing via a video link if they desire to do so.
4. In this Minute, we make references to 'submitters' and their 'submissions.' For avoidance of doubt, those references include both the original submissions **and** also the subsequent further submissions.

THE PROGRAMME

5. Key steps and our associated directions working backwards from the hearing dates commencing on 30th November 2020 are:
 - a. The Council Officer's Section 42A report, along with any supporting technical reports, is to be filed no later than Thursday 22 October, which is 25 working days before the hearing commences. That report is to include any amendments recommended by the Officers to PC7 as tracked changes. It must also specify any submissions and submission points the Officers consider to be out of scope, and their reasons for that assessment.
 - b. **Submitter expert evidence is to be filed by 1pm on Friday 13 November 2020 (due to public holidays)**, which is 14 working days after the receipt of the Council Officer's section 42A report and 10 working days before the hearing commences. A section of this evidence should specifically address where the expert disagrees with an aspect of the Officer's Report, and the reasons for that disagreement. The onus is on each submitter to illustrate that any proposed revision to PC7 provisions are being proposed in their evidence are within the scope of the plan change. It is also incumbent on each submitter (and indeed the Council Officer in their s42A report) to assess any proposed revisions in terms of s32AA of the Resource Management Act 1991.
 - c. **Any additional response by the Officers to submitter expert evidence is to be filed by 4pm on Wednesday 25 November 2020**, which is two working days before the hearing commences. We reserve the right to grant leave to the reporting Council officer to file an updated planning evaluation on commencement of the hearing on 30 November 2020. Any proposed further amendments to PC7 must be included with this response, with tracked changes in a different colour to those included in the S42A response.

All submitters are asked to focus on this tracked changes version of PC7, as it is what we will be using as our starting point for our discussions.

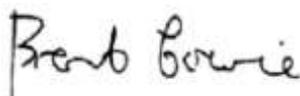
- d. Any lay submitters appearing at the hearing who want to highlight any matter over and above their written submission must provide an accurate summary of what they want to say by 1pm two working days before the lay submitter is due to present at the hearing.
 - e. Legal submissions to assist the hearing commissioners are to be **filed by 4pm on Friday 27 November 2020**.
6. Evidence and other documentation directed in (a) to (e) above should preferably be in an electronic format, although lay submitters may provide hard copies if they wish. All reports, evidence and submissions are to be lodged with Annelie Roets at the Hawke's Bay Regional Council. Her details are set out in paragraph 10 below.

THE HEARING

7. As already noted **the hearing will commence on Monday 30 November** at a venue in Napier. Council officers are still required to circulate a final draft hearing timetable no later than **Monday 23 November**, with times set down for submitters and their experts to appear before us.
8. A notice of hearing will be issued shortly confirming the dates, times, and venue.

OTHER MATTERS

9. One late submission was received after the original deadline. That submission was from New Zealand Forestry Managers Limited (Submission #24). As Chair of the Hearings Panel, I waive the lateness of that submission. That means the merits of requests made in New Zealand Forestry Managers Limited's submission will be considered at the hearing alongside all other submissions that were received within the submission deadline. The same goes for those further submissions received in support or opposition to NZFML's original submission.
10. The administrative contact for the plan change is Annelie Roets at Hawke's Bay Regional Council. All hearing and administrative matters should be directed to Annelie Roets in the first instance. The email is OWB@hbrc.govt.nz. Otherwise call (06) 835 9200 and ask for Annelie. Annelie will confer with the Commissioners as necessary.



Dr Brent Cowie
Chair of Plan Change 7 Hearings Panel

Date: 6th October 2020