

HAWKE'S BAY REGIONAL COUNCIL
PROPOSED PLAN CHANGE 9 (PPC9) – TŪTAEKURĪ, AHURIRI, NGARURORO AND
KARAMŪ CATCHMENTS (TANK)

MINUTE 4 OF THE INDEPENDENT HEARING PANEL

INTRODUCTION

1. This is the fourth minute of the independent hearing panel. It clarifies several matters ahead of the hearings due to start on 24 May 2021.

MARAE AND PŌWHIRI

2. The hearing scheduled for Monday 24th May to Wednesday 27th May will be held at Mangaroa Marae. A pōwhiri (ceremonial welcome) for the panel, submitters and guests will be held at 9am, followed by a morning tea. The hearing will be held in the wharekai (dining hall) and is scheduled to start at 11am. The hearing is open to the public.

LEGAL SUBMISSIONS

3. We have previously provided direction regarding the timing of legal submissions. A submitter has informed us of a discrepancy in this regard. In Minute #1 we specified that legal submissions should be submitted by the 18th May 2021. In Minute #2 we indicated that legal submissions should be provided to the panel at least 24 hours before the hearing. We would like to clarify this matter by confirming that legal submissions must be provided to the panel at least 24 hours before they are due to be read.

ZOOM FOR SUBMITTERS AND EXPERTS

4. We are requesting that submitters or experts who wish to appear by Zoom (virtual attendance) must contact Maggie (hearing administrator) by 10am Friday 21 May to confirm.

EXPERT CAUCUSSING/CONFERCING

5. The Panel has not required expert caucusing before the hearing due to the large number of issues raised in submissions, the significant evidence package and the limited time for caucusing and conferencing between receipt of the regional council expert evidence and the start of the hearing. The Panel may however require expert caucusing/conferencing during and following the hearing.

SITE VISITS

6. We have been provided with a number of sites that submitters and the Council would like the panel to visit. We appreciate and acknowledge the suggestions. We are currently developing a site visit itinerary scheduled for 25 June 2021. It is unusual for such site visits to be attended by submitters or Council staff directly involved in the hearings. We are also cognisant of ensuring the health and safety of panel members on private properties that are unfamiliar to the panel. As such we are not intending to

visit private property and will not be accompanied by submitters or Council staff directly involved in the hearings.

LATE SUBMISSION

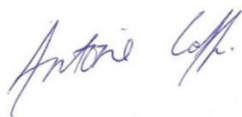
7. The panel has received one late submission from S A Gardiner, received on 7 May 2021 and resubmitted on 11 May 2021. The submission provides general support for the plan change however opposes a specific provision in the proposed plan change. At first glance this late submission appears to have been the result of unfamiliarity with RMA processes as the 7th May and 11th May were dates for submission of expert evidence from submitters. Submissions closed on 14 August 2020. The submitter has not made a previous submission or further submission. The late submission has been received in a period exceeding twice the maximum submission period. Any extension of waiver will cause undue delay to the hearing and process. The Panel is not making an extension or waiver to accept the late submission.

LATE EVIDENCE

8. We may receive briefs of 'expert evidence' after the extended closing date of Tuesday 11th May, 5pm. We understand that the Hawkes Bay Regional Council experts are unable to respond to the evidence before the start of the hearing. We agree that this would be an unreasonable imposition on those parties. We have determined to not accept 'expert evidence' after that date. We note that the submitter(s) may wish to send us 'lay witness briefs' and call these witnesses at the hearing to speak to their submission, and we invite them to do so.

CONTACT

9. The administrative contact for the plan change is Maggie Brown at Hawke's Bay Regional Council. All hearing and administrative matters should be directed to Maggie at etank@hbrc.govt.nz or on 027 214 9871. She will confer with the Commissioners as necessary.



Antoine Coffin

Chair of Plan Change 9 Hearings Panel

Date: 19 May 2021