

HAWKE'S BAY REGIONAL COUNCIL

PROPOSED PLAN CHANGE 9 (PPC9) – TŪTAEKURĪ, AHURIRI, NGARURORO AND KARAMŪ CATCHMENTS (TANK)

MINUTE 1 OF THE INDEPENDENT HEARING PANEL

INTRODUCTION

1. The Hawke's Bay Regional Council has appointed five independent commissioners to hear and decide submissions on proposed Plan Change 9 (PPC9). They are Mr Rauru Kirikiri, Dr Brent Cowie, Dr Roger Maaka, Dr Greg Ryder and Mr Antoine Coffin (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 24 May 2021**.
3. The Panel notes that this hearing timeline is dependent on Hawke's Bay being at COVID-19 Alert Level 2 or less. An in-person 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 or arrangements will be made to hold the hearing virtually.
4. Submitters and expert witnesses who are unable or would prefer not to attend the hearing in-person will have the option to present their submissions and evidence online via a video link.
5. In this Minute, we make references to 'submitters' and their 'submissions.' For avoidance of doubt, those references include both the original submissions **and** the subsequent further submissions.

THE PROGRAMME

6. Key steps and our associated directions working backwards from the hearing dates commencing on 24 May 2021 are:
 - a. **The Council Officer's Section 42A report, along with any supporting technical reports, is to be filed no later than 5pm on Thursday 15 April 2021**, which is some 26 working days before the hearing commences. That report is to include any amendments recommended by the Officers to PPC9 as tracked changes.
 - b. **Submitter expert evidence is to be filed by 5pm on Friday 7 May 2021**, which is 15 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 revisions to PPC9 provisions 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(s) by the Officers to submitter expert evidence is to be filed by 5pm on Monday 17 May 2021**, which is four 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 24 May 2021. Any proposed further amendments to PPC9 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 PPC9, as it is what we will be using as our starting point for our discussions.

d. Legal submissions to assist the hearing commissioners are to be **filed by 5pm on Wednesday 19 May 2021**.

7. Evidence and other documentation directed in (a) to (e) above should preferably be in an electronic format. All reports, evidence and submissions are to be lodged with Maggie Brown at the Hawke's Bay Regional Council. Her details are set out in paragraph 12 below.

THE HEARING

8. As already noted **the hearing will commence on Monday 24 May**. We have estimated that some 3 weeks of hearings will be required, held at locations split between Hastings and Napier, including three days at a marae.

9. The dates at this stage are scheduled as:

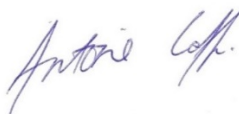
- a. May 24 – 26, 28 (24-26 at a marae)
- b. June 8 – 11 (Monday 7 June is a public holiday)
- c. June 14 – 15
- d. June 21 – 23, 25

10. We will also be making contingency dates in case of disruption caused by COVID 19 alert levels and other unforeseen circumstances. Council officers are still required to circulate a final draft hearing timetable **no later than Monday 17 May**, with times set down for submitters and any associated experts to appear before us.

11. A notice of hearing will be issued shortly confirming the dates, times and venues.

OTHER MATTERS

12. 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: 23 March 2021