

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Hearing of Submissions and Further
Submissions on the Proposed Central Hawke's
Bay District Plan Review

**Nineteenth Memorandum and Direction of the Hearings Panel
DIRECTIONS FOLLOWING HEARING 6**

Introduction

1. The Sixth Hearing of submissions on the Proposed Central Hawke's Bay District Plan (PDP) was held in the Council Chamber of the Central Hawke's Bay District Council on 15 and 17 November 2022. The Hearing heard submissions on SNA Mapping, Rezoning Requests and Miscellaneous matters not already covered. The Panel also heard legal submissions in the implications for the PDP of the National Policy Statement on Highly Productive Land 2022 (NPS-HPL) which came into force since the previous hearing. The Hearing was adjourned at 4.45pm on 17 November 2022.
2. The purpose of this minute is to set out the direction for the written rights-of-reply to be prepared by the reporting planners, as well as for site visits arising from the SNA mapping topic.

Reporting Officers' Right-of-Reply and Reply Submissions

3. Following the hearing of each topic, the s42A reporting officers have been provided with an opportunity to prepare written rights-of-reply to respond to matters arising during the hearing.
4. These rights-of-reply are to be provided to the District Council by the close-of-business on Friday 9 December 2022, which will then be circulated to all relevant parties by the close-of-business on Monday 12 December 2022. As well as any matter the reporting planner wishes to address, the rights-of-reply should address the following matters:
 - Recommended new policy ECO-P10 (specifically whether use of the word 'minimise' proposed in the policy is appropriate), in light of evidence presented to the Hearing on SNA mapping by Stella August for Kairakau Lands Trust (S84)

- The question whether the evidence of Annabel Beattie for M & L Lowry was authorised and undertaken on behalf of the Hawke’s Bay Regional Council
 - Provision of a map of Māori land affected by SNAs
 - Whether Mr Robottom’s query regarding the ONL on his property can be appropriately addressed through the Hearing on SNA Mapping and/or whether removal of the ONL is within scope of his submission.
 - Mr Kessels’ response to Lowry, Hardy, Robottom, Pairatahi Holdings Ltd evidence in respect of SNA Mapping on these submitters’ properties (noting that, given our direction on-site inspections, it may not be able for Mr Kessels to undertake such site inspections prior to the completion of the written right-of-reply on this topic, and accordingly his advice may be preliminary in nature).
 - Whether the template form referenced by NZ Heavy Haulage Association can be attached to the PDP as proposed by the submitter during their hearing presentation.
 - A response to the matters raised in Ms Davidson’s submissions on the NPS-HPL where there may be scope to bring the PDP more closely into alignment with that document, and the question raised by the Panel as to whether the NPS-HPL would be relevant to consideration of submissions seeking a change of zoning from Rural Production to General Rural Zone, given the different rules applying to subdivision between those zones.
5. Ms Davidson provided some commentary on the legal submissions presented for submitters seeking rezoning before those submitters presented. These comments and any additional matters of reply are to be filed by way of reply submissions within the same timeframes as set out at paragraph 4.

Site Inspection

6. In response to questions during the SNA Mapping Topic, we have indicated that it may be useful for the Panel if further site inspections of the following areas could be undertaken by the Council’s ecological advisers, Mr Kessels and Mr Cheyne as relevant, to verify the recommended boundaries of the proposed SNAs:
- a. M & L Lowry – SNA-434 and SNA-424;
 - b. C&H Hardy Family Trust and Lime Terrace Farm – SNA-138, SNA-191, and SNA-199; and
 - c. P Robottom – SNA-1, SNA-27, SNA-34 and SNA-36.
 - d. Kairakau Lands Trust – SNA-229, SNA-214, SNA-217, SNA-223
7. We would ask that the advisers report back to the Hearing Panel with their recommendations and reasoning, including why no site inspection was considered necessary if not undertaken, and if a site inspection is to be undertaken, when this can reasonably occur. Any such advice should be reported by way of the relevant reporting planner by 9 December 2022.

Communications

8. As a reminder, the primary point of contact for all matters relating to the hearings is Jessie Williams, who can be contacted at districtplan@chbdc.govt.nz, or phone (06) 857 8060. The key location for up-to-date information on the hearings is the PDP Hearings Page is at <https://www.chbdc.govt.nz/services/district-plan/proposed-district-plan/hearings/>.

Dated 28 November 2022



Robert Schofield

Chair of the Central Hawke's Bay District Council District Plan Hearings Panel