

IN THE MATTER OF
AND
IN THE MATTER OF

The Resource Management Act 1991,
Application RM 220003 by Paoanui Point Ltd to
the Central Hawke's Bay District Council

MINUTE NO. 7 / TE PĀNUI TUATAHI OF THE HEARING PANEL

Dated: 22 November 2023

Greetings Tēnā tātou katoa,

As indicated throughout this hearing we are taking all practicable steps to enable all parties to be as well informed as possible about the progress towards closing the hearing and making a decision as soon as practicable in accordance with the requirements of the Resource Management Act 1991.

Following consultation about the request from the Applicant to extend the initial timeframe for the Reply, we issued Minute No 6 directing the Applicant to provide the Reply in writing to us by 5pm on Monday 30 October 2023.

On 27 October the Applicant's solicitors requested that processing of the Application be suspended in accordance with section 91A (3)(c) of the Resource Management Act 1991. In considering this request the Panel took into account the applicant's supporting arguments, advice about the application's timeline from Council officers, and a legal opinion from the Council's solicitors. The Panel's determination that the extension pathway of section 91A(3)(c) was not available to the Applicant, due to time the application had already been on hold, was communicated to the Applicant by way of a letter sent to the Applicant's solicitors on 15 November.

As indicated in that letter, we are considering applying an extension of timeframes under section 37 of the Resource Management Act 1991 to accommodate the Applicant's desire for more time to provide the Reply. In response to our letter, we have received a memorandum from the Applicant's solicitors explaining their position as to why more time is sought.

In making our determination regarding applying section 37, we must take into account the interests of any person who we believe may be directly affected by the extension, and the interests of the community in achieving adequate assessment of the effects of the application.

We therefore invite all parties to proceedings to provide submissions/ comments to the Panel **before 5pm on Wednesday, 29 November 2023** about how they may be affected by a potential extension. Following the receipt of submissions and comments, we will make our determination and issue a Minute with Directions.

Hei kona ra,

Eileen von Dadelszen

Eileen von Dadelszen on behalf of the Panel