

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. 8 / TE PĀNUI TUATAHI OF THE HEARING PANEL

Dated: 5 December 2023

Greetings Tēnā tātou katoa,

Following a request on 27 October from the Applicant's solicitors requesting that processing of the Application be suspended in accordance with section 91A (3) (c) of the Resource Management Act 1991, we determined 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.

We offered to consider 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.

We have now considered the contents of the memorandum dated 20 November 2023 from the Applicant's solicitors explaining their position as to why more time is sought, and the responses of submitters to the invitation in our Minute No 7, dated 22 November 2023.

In order to make progress towards closing the hearing and making a decision as soon as practicable in accordance with the requirements of the Resource Management Act 1991, we direct that pursuant to section 37(1)(a) of the Act, the final date for the Applicant's Reply will be extended to **5p.m. on Friday 12 January 2024** .

As discussed at the hearing, the Right of Reply should include, as a minimum, comment on the following matters:

- The status of the proposed constructed wetland, including the discharge to it, under relevant planning instruments;
- Confirmation of indicative locations of the wetland areas associated with the Productive Land Drainage Plan as marked by hand by Mr Hicks during his presentation of evidence, and any associated planting plans for these and any other areas;
- Identification of any additional resource consents required for the proposal, given the new 'drainage improvements' proposed;

- Confirmation of the authors of information included in the section 92 request response regarding the wetland assessment and the correspondence received from Hawke's Bay Regional Council on this matter;
- Confirmation of the author of the information in the section 92 request response regarding the New Zealand National Coastal Policy Statement;
- Information supporting paras 78 and 79 of the *Legal Submissions of Counsel for the Applicant* dated 12 July 2023 and associated verbal submissions, specifically the reasons for the zoning of the site in the Proposed District Plan as set out in the relevant section 32 RMA report;
- A set of conditions proposed by the Applicant to be imposed, should consent be granted. This should include a discussion/record of conversations with any parties to proceedings regarding conditions, and with the Reporting Officer in particular, and should clearly demonstrate any alternative wording proposed by any party and/or any conditions or part thereof which are not agreed between parties.

Hei kona ra,

A handwritten signature in cursive script, reading "Eileen von Dadelszen".

Eileen von Dadelszen on behalf of the Panel