

IN THE MATTER OF

The Resource Management Act 1991

AND

IN THE MATTER OF

An application made to Hawke's Bay Regional Council (HBRC)

(Consent Authority)

BY

Tuki Tuki Awa Limited, Buchanan No. 2 Trust, Plantation Road Dairies Limited, Te Awahohonu Forest Trust, I and P Farming Limited, Springhill Dairies Partnership, Papawai Partnership and Purunui Trust

(Collectively, the Applicant)

For the hearing of various applications for resource consents associated with the taking and use of Tranche 2 Groundwater in the Tukituki catchment

MEMORANDUM 3 TO PARTICIPANTS

Hearing Venues and Procedures

31 October 2022

INTRODUCTION

- 1 This memorandum sets out where the hearings of these applications will be held, and the procedures that will be followed.
- 2 As already noted, the hearing will take place in the week starting 14 November 2022, and the Commissioners will undertake a site visit on Monday 14 November.

HEARING VENUES

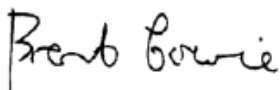
- 3 The hearing venue for the days of Tuesday 15 November, Thursday 17 November and (if necessary) Friday 18 November is the **Napier Sailing Club, 63 West Quay, Ahuriri, Napier**. On Tuesday 15 the hearing will commence at 0900h; start times for the other days at Ahuriri will be advised during the hearing.
- 4 The hearing venue on Wednesday 16 November is the **Central Hawke's Bay Municipal Theatre, 18 Kenilworth Street, Waipawa**. The hearing will commence at 0900h.
- 5 Although the Council tried to find venues with video links, they were unable to do so. We apologise for this, which means anyone wishing to attend the hearing will have to do so in person.

HEARING PROCEDURE

- 6 The Resource Management Act specifies how hearings of resource consent applications are to be organised. The hearing will commence with the applicant's case. We will next hear from submitters to the application, and then from the Council's reporting officers (s42A report author and expert witnesses) whose reports will be taken as read, before the applicants' right of reply.
- 7 As outlined in our second memorandum, the s42A reporting officer Mr Barrett is preparing a supplementary report. He and the expert witnesses for the Council will additionally be asked for any further comment when they report back.
- 8 Submitters who wish to be heard are asked to liaise with Nadene Savage at the HBRC as to when may be an appropriate time for them to present their submissions and/or evidence. The intention of holding the hearing in Waipawa on Wednesday 16 November is to allow submitters to appear there if they wish to. A draft timetable will be provided before the hearing, and may be updated as the hearing proceeds.
- 9 We encourage submitters who are unfamiliar with the process to refer to the useful guide about the resource consent hearings process and available from the Ministry for the Environment website. The link below, in particular, is a useful source of information:

<https://www.mfe.govt.nz/publications/rma/everyday-guide-rma-appearing-council-resource-consent-hearing>

- 10 Pre-circulated expert evidence will be taken as read. Experts appearing for the applicant may prepare a short presentation summarising their evidence (such as via Power Point). This should not take more than 15 minutes. Copies of any such presentation should be sent to Nadene Savage by midday on Monday 14 November so they can be loaded on to a hard drive.
- 11 As Mr Barrett's supplementary report will not be available until after the applicants' expert evidence has been lodged, we are open to Mr Willis, their planner, preparing brief supplementary evidence focussing solely on that additional report. Any such additional evidence from Mr Willis, along with a copy of legal submissions on behalf of the applicants, must be lodged with Ms Savage by 1500h on Monday 14 November.
- 12 All legal submissions on behalf of the applicant or submitters, and any lay evidence from submitters, can be read in full at the hearing. We will have read all submissions, so we encourage submitters to speak to the submissions rather than read them in full. This applies particularly to the longer submissions that refer extensively to matters such as the applicants' Assessment of Environmental Effects, or Regional Council publications.
- 13 If you have any questions about this minute, please contact Nadene Savage at the HBRC on 027 253 8259 or e-mail Nadene.Savage@hbrc.govt.nz. She will confer with the commissioners as necessary.



Signed by Brent Cowie (Chair)
on behalf of the Hearing Panel