

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. 5 / TE PĀNUI TUATAHI OF THE HEARING PANEL

Dated: 6 September 2023

Greetings Tēnā tātou katoa,

This Minute is to direct the Applicant's solicitors to provide a revised Timetable relating to the Application RM 220003 lodged by Mr James Bridge on behalf of Paoanui Point on 22 December 2021. It is also to ensure that all parties are aware of the reasons for the delay in closing the Hearing.

The Timetable provided by the Applicant's solicitors on 18 July 2023 indicated that the written formal Reply (including a 'fresh set' of conditions proposed by the Applicant, with comment from the s42A Officer and, should they wish, the Planning Expert for the Havelock Bluff Trust) would be provided to the Panel by Monday 4 September 2023. Shortly before 5pm on that date the Hearings Manager received an email advising that the Reply would not be available on that day. On Tuesday, 5 September 2023 the Applicant's solicitors advised that the delay in providing the Reply was because the two planners (the Applicant's Planning Expert and the s42A Officer) had been unavailable to meet on the dates indicated on the original Timetable, and they (the solicitors) had become involved in a ten week trial currently underway in the Wellington High Court.

They advised they were making contact again with the planners to find times when they could meet, and suggested that the Reply, including the revised possible conditions, would become available two weeks after those meetings.

The revisions to the original Timetable now proposed are not specific. On the understanding that the formal Reply and potential conditions would be available last Monday, we put aside times to read the material presented. We had anticipated being able to close the Hearing officially within a week or so, provided the Reply addressed the matters we directed verbally at the hearing and no further information was required. However, we also have professional and other commitments later this month and during October, which will mean that our availability to convene to make decisions is limited until November.

We are conscious of the requirement to avoid delays when resource consents are being considered, and the need for us to keep all parties informed about the process and to circulate information, noting that we are also concerned about the short notice we have had that the original Timetable was not able to be met.

We therefore direct that the Applicant or its solicitors provide to us a revised Timetable by 5.00pm on Monday 11 September 2023.

Hei kona ra,

A handwritten signature in black ink, reading "Eileen von Dadelszen". The signature is written in a cursive style with a large initial 'E' and a long, sweeping underline.

Eileen von Dadelszen on behalf of the Panel