IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF Plan Change 1 to the Central Hawke's Bay District Plan

MINUTE 1 OF THE HEARING PANEL APPOINTED BY CENTRAL HAWKE'S BAY DISTRICT COUNCIL

Introduction and Appointment

1. You have received this Minute as you are either a submitter or a Council officer involved in Plan Change 1 (PC1) to the Central Hawke's Bay District Plan (CHBDP).

2. The Central Hawke's Bay District Council (the Council) has appointed Independent Hearing Commissioner Robert Schofield (Chair), Cr Kate Taylor, and Cr Pip Burne pursuant to section 34A of the Resource Management Act 1991 (RMA), to hear and make recommendations on submissions to PC1.

3. PC1 is proposing to make changes to two parts of the operative District Plan:

    a) Adopt the Waipukurau South Structure Plan and Development Area chapter into the District Plan; and

    b) Amendments to the renewable energy chapter to update the definition of small-scale renewable energy generation to match national policy direction.

4. PC1 was notified for submissions on 9 March 2026, with the period for submissions closing on 8 April 2026. A summary of the submissions received was notified on 17 April 2026, with the period for further submissions closing on 4 May 2026.

5. The general function of this Minute is to set out some preliminary matters in preparation for the hearing. It covers:

    a) The hearing date and venue

    b) Pre-provision of evidence

    c) Hearing process and presentations

    d) Site visits

    e) Communication and question

6. It is likely that we will issue additional minutes with further requests and instructions, before, during and /or after the hearing.

Hearing date and venue

7. The hearing is scheduled to be held on **Friday 26 June 2026** in the Council Chambers at Central Hawke's Bay District Council, Waipawa. The hearing will commence at **9am** and is anticipated be complete the same day. Formal notice of the hearing, including details of the venue, will be issued by the Council in due course.

Pre-provision of evidence

8. Section 41B of the RMA provides that the Hearings Panel may direct that certain evidence called by the applicant or submitters be provided to the Hearings Panel before the hearing. Section 42A of the RMA provides that the Hearings Panel may require a report on the matters to be considered be provided prior to the hearing.

9. We direct as follows:

    a) Pursuant to section 42A RMA, the section 42A report shall be made available on Council's web site by **4pm Thursday 4 June 2026**. The report is to be in both .pdf and Word document formats.

    b) Pursuant to section 41B(3) and (4) RMA, any expert evidence to be given at the hearing on behalf of any submitter shall be provided to Council by **4pm Thursday 11 June 2026**. The evidence is to be in both .pdf and Word document format.

    c) Pursuant to section 41B(3) and (4) RMA, the Council may provide a written reply in response to any submitter expert evidence no later than **4pm Thursday 18 June 2026.** The reply is to be in both .pdf and Word document format.

    d) As soon as possible after any evidence received pursuant to the above Directions, the Council shall place the evidence on Council's website.

10. All expert evidence, including the section 42A report must be received within the timeframes set out above. Where a party seeks to deviate from the timeframes above, they are to seek leave from the Panel in advance, setting out the reasons for the request to deviate, how this may impact on hearing timeframes, and setting out any remedies for any impact. Expert evidence that is received outside of the set timeframes may not be accepted by the Panel, unless leave is granted.

11. All expert evidence, including the Council section 42A report, must be prepared in accordance with the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

12. We note that we may set out specific questions for the Council section 42A report author in advance of the hearing. If we do so, these questions will also be made available to all parties to the hearing.

13. We request that any:

    a) Any procedural questions or matters relating to conflicts of interest be raised through the Hearing Administrator, no later than **4pm Friday 29 May 2026**; and

    b) Any legal submissions be provided no later than **4pm Monday 22 June 2026.**

Hearing process and presentations

14. Appearing at a hearing may be a new experience for some submitters. Those who have not been involved in hearings under the RMA before may wish to look at the following guidance on the Ministry for the Environment website:

    https://environment.govt.nz/publications/appearing-at-a-hearing-about-a-proposed-plan-or-resource-consent/

15. Our preference is that the hearing is relatively informal. However, any hearing has an inherent degree of formality, and we outline how the hearing will be conducted below.

16. The key purpose of the hearing is to allow us to hear from and ask questions of the submitters and the Council, to help improve our understanding of what the key issues are that we need to consider and resolve.

17. Pursuant to section 41C(1) of the RMA, and in respect of evidence pre-circulated in accordance with these Directions, the hearing will be conducted in the following manner:

    a) The proceedings will begin with the Council section 42A report author providing an overview of PC1, focusing on any changes in fact or recommendations since the report was circulated and responding to any questions that the Panel has posed.

    b) Submitters will then present their case, supported by any counsel and expert witnesses they may have engaged.

    c) Where a party has provided pre-circulated expert evidence, they are to call the witness in person[1], unless we provide prior notice to the party that this may not be necessary.

    d) The witness should proceed on the basis that the Hearings Panel has read the pre-circulated evidence in advance, however, may speak to the evidence or a written summary.

    e) We may then question the witness. There is no ability for any other party to question a witness: only the Hearings Panel can ask questions.

    f) The Council, including any expert witnesses, will then address the Hearings Panel, responding to any matters raised by the submitters.

    g) The Hearings Panel may set out further questions for the Council section 42A report author to respond to in a final Right of Reply Report, following the adjournment of the hearing: a date for this Report will be set following the adjournment of the hearing.

18. The purpose of these Directions is to provide the opportunity for all parties to the hearing to consider any technical evidence in advance of the hearing to assist all parties in understanding that evidence.

19. The Directions do not apply to evidence to be presented by submitters who are “non-experts”, or persons who do not provide expert evidence at these types of proceedings. All submitters will have the opportunity to present written or oral evidence at the hearing in

[1] [1] See paragraph 22 about online appearance

the normal manner. They do not need to pre-circulate their own statements or representations before the hearing commences. However, it is very helpful for the Hearings Panel if Submitters can provide electronic copies of their statements or representations either in advance of their appearance or on the day, as we prefer to work "paperless".

20. The general presumption is that submitters will have 15 minutes to present. If a submitter considers that they will require additional time, they are to provide reasons why additional time is required. Submitters will be contacted by the Hearing Administrator in advance of the hearing to schedule in when they will be appearing and whether they seek additional time to present. The Hearing Administrator will liaise with the Chair to confirm the scheduling of any additional time sought by a submitter.

21. Should any party wish to speak in Te Reo, utilise Sign Language, or utilise visual aids (PowerPoint, etc.) they are requested to liaise directly with the Hearings Administrator, as soon as possible, but prior to **4pm Friday 29 May 2026** regarding their needs.

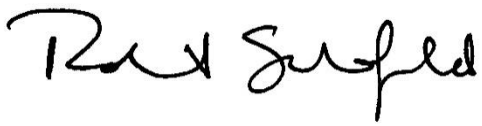
22. If any participant intends to attend the hearing remotely (e.g. by way of Zoom) then they must ensure that a copy of all written material that they will refer to or read from (including speaking notes) during their presentation is provided to the Central Hawke's Bay District Council Hearings Administrator no later than **4pm on Wednesday 24 June 2026.**

Site visits

23. The Hearings Panel will hold site visits as necessary. If any party has a desire for us to visit a particular site or locality, they should advise the Hearing Administrator no later than **4pm Friday 12 June 2026.**

Communication and questions

24. Any enquiries regarding these Directions or related matters should be directed to the Hearings Administrator, Miranda Grimmer (miranda.grimmer@chbdc.govt.nz). No party is to directly contact any member of the Hearings Panel.



Robert Schofield
Chairperson, on behalf of the Hearings Panel
24 April 2026