Hearing Directions Minute – Tararua District Plan – Plan Change A Hearing 17th & 18th December 2026

Thank you for participating as a submitter or further submitter on Plan Change A. This minute provides information as to how the forthcoming hearing will be conducted. To ensure a fair hearings process for all, best practice resource management hearings procedure is to be followed which is explained below.

Purpose of this Minute

1. Tararua District Council (the Council) publicly notified Plan Change A (PCA) on 7 September 2026. Some 61 submissions were received by the Council, some of which raise multiple submission points. A summary of those submissions was publicly notified on 19 October 2026, after which 9 further submissions were received.

2. The hearing of submissions on PCA will be held on Thursday 17th & Friday 18th December 2026.

3. The purpose of this Minute is to outline the proposed procedures for the hearing, including directions as to when and how evidence and legal submissions will need to be provided in advance of the hearing.

4. Specifically, this Minute addresses:
   - The appointment of an independent commissioner
   - The management of potential conflicts of interest
   - Council role in the Hearings
   - Submitter presentations and evidence
   - Timetable for the circulation of reports and evidence
   - Format of hearing
   - Site visit
   - Correspondence and service of documents

Appointment of an Independent Commissioner to Hear the Submissions

5. In accordance with Section 34A(1) of the Resource Management Act 1991 ("RMA"), on 28 October 2026, the Council appointed Philip McKay[1] as an independent Hearing Commissioner to hear and consider submissions and further submissions on PCA to the Tararua District Plan, and to make recommendations to Council[2].

6. Philip McKay is an accredited hearing commissioner under the Ministry for the Environment's 'Making Good Decisions' programme, with a Chair's Endorsement.

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[1] An environmental planning consultant based in Hawke's Bay.

[2] The Independent Commissioner will make recommendations to the Tararua District Council to either accept, accept in part, or reject each point of submission and any resulting amendments to the District Plan as pursuant to section 34(1)(a) the approval of a district plan or plan change cannot be delegated by the Council.

7. The role of the Commissioner is to:

    a) Review the section 42A report, submissions, further submissions and other relevant information
    b) Prepare procedural minutes (including this minute and any other minute that may be required)
    c) Undertake a site visit to the various subject areas of PCA
    d) Hear submissions and evidence
    e) Seek clarification from Council officers, submitters, and their experts
    f) Seek legal advice if assistance is required on legal questions, and
    g) Make and write determinations, including recommendations on all submissions points and requested amendments to the notified PCA provisions.

8. The Commissioner has the powers contained in ss 41 to 41D of the RMA, which include power to:

    a) Direct that evidence and submissions be presented within time limits
    b) Take evidence and submissions as read
    c) Direct the order of business at the hearing
    d) Limit evidence and submissions to matters in dispute, and
    e) Strike out the whole or part of a submission (if appropriate).

9. A fundamental pre-requisite to a fair and transparent hearing process is the obligation on any commissioner to bring an independent view and open mind to the role, free of any conflicts of interest that could result in bias and/or predetermination. Conflicts of interest may arise, for example, where a commissioner:

    a) Has previously advocated or given evidence in support of a particular position of relevance to the finalisation of the provisions of the plan change; or
    b) Has previously appeared as a witness or an advocate for a party who holds an interest and/or lodged a submission on the plan change;
    c) Has a private interest, including but not limited to an interest in property, which may result in an actual or perceived conflict of interest and/or bias.

10. Commissioner McKay confirms that he does not have any conflicts of interest in regard to PCA.

Council Role in the Hearings

Hearing Administrator

11. The Hearing Administrator is the 'point of contact' for submitters and the public (including the media) regarding the hearings. Allie Dunn, Manager Democracy Services, is the Hearing Administrator for PCA and will oversee the various administrative tasks needed to ensure an efficient hearing process, including:

    a) Issuing the hearing schedule
    b) Making hearing arrangements
    c) Circulating Commissioner minutes and other directions
    d) Circulating evidence for the hearing
    e) Handling public and submitter enquiries
    f) Generally assisting the Commissioner with logistical matters as required

12. The Hearing Administrator is also responsible for managing the PDP webpage to ensure that all necessary information to support an efficient hearing process is available to all participants.

Planning Advisors and other Council experts

13. Section 42A of the RMA provides for preparation of a report summarising and evaluating submissions and making recommendations to the Commissioner on potential amendments to the District Plan (more specifically the district plan provisions associated with PCA) in response to submissions and further submissions.

14. The purpose of a section 42A report is to assist both submitters, and the Commissioner prepare for the hearing. The Section 42A report for PCA is being prepared for Council by planning consultant, Daniel Batley, and is supported, by expert input and advice, provided by both Council staff and external consultants. The Section 42A report will be available on the PCA webpage once completed.

15. While the section 42A report evaluates all submission points on PCA and makes recommendations to the Commissioner considering those topics, it is important to recognise that those recommendations are not binding on the Commissioner and carry no greater weight than any other evidence provided by or on behalf of any submitter.

16. The section 42A report will contain a schedule of 'Recommended Decisions on Submissions', which will set out Mr Batley's recommendation in relation to each submission point, based on his evaluation. It should be noted that the language that will be used in this schedule of the section 42A report of: 'Accept', 'Accept in Part' or 'Reject' in regard to each submission point, is reflective of the requirement for decisions on submissions under Schedule 1, clause 10 of the RMA.

Submitter Presentations and Evidence

17. All submitters who have given notice of their intention to be heard are entitled to appear at the hearing. Submitters may appear either in person or through their authorised representative (including but not limited to legal counsel), and a submitter's case may also be assisted by their bringing expert evidence before the Commissioner.

18. All legal submissions and other written presentations that are longer than three A4 pages in length should be lodged with the Hearing Administrators not less than three working days before the commencement of the hearing, being Friday 11 December 2026. If legal submissions refer to caselaw, counsel should either insert an electronic link to the cases or provide electronic copies separately. If a submitter or their representative makes reference to documents or other sources of information to support their points, they should either have a copy of that document available upon request from the Commissioner or be able to provide links to it electronically.

19. If a submitter wishes to present their submission using a power-point presentation, they should provide the power-point in an electronic format to the Hearing Administrators by Tuesday 15 December 2026. This is to ensure compatibility with the electronic system at the hearing venue.

20. Submitters have the option of presenting written representations on the day of the hearing and reading aloud, provided it is not longer than three A4 pages in length. Seven copies of any written material not sent electronically to the Hearing Administrator prior to the hearing will be needed, and an electronic copy supplied to the Hearing Administrator within two working days of completing their presentation (if they have not already done so by the time they appear).

21. If a submitter plans to speak verbally to their submission, that is fine, but only if their verbal presentation is less than the equivalent of three A4 pages read aloud (about 10 minutes).

22. Even if a verbal presentation is short, it is best to also provide it in the form of a written statement, both to help focus on the key issues, and to help the Commissioner who otherwise has to take notes of what is being said rather than being able to concentrate on listening. A readable handwritten statement is acceptable.

23. If any submitter intends to have experts (for example, professional engineers, scientists, architects or planners) present evidence in support of their submission, then written copies of that expert evidence must be provided in digital format (Microsoft WORD) to the Hearing Administrator no later than 5 working days before the hearing, that is by Wednesday 9 December 2026. All expert evidence must include a summary statement that is not more than one A4 page long.

24. If professional expert planning evidence is provided, then that evidence must include a schedule in Microsoft WORD format setting out the precise wording amendments to the notified PCA provisions that the planner recommends. That wording should be in 'track changes' format'.

25. Other technical experts may similarly provide recommended wording amendments if their client has not engaged a planning witness.

Timetable for the Circulation of Reports and Evidence

	Hearing Step	Timing / Deadline
1	Release of Council Section 42A Report	Wednesday 25th November 2026
2.	Provision of Expert Evidence	Wednesday 9th December 2026
3.	Provision of Legal Submissions	Friday 11th December 2026
4	Provision of submitter power point material for display at the hearing	Tuesday 15th December 2026

The Hearing, Thursday 17th & Friday 18th December

26. Commissioner McKay will undertake a visit to the road frontage of each of the PCA rezoning areas prior to the hearing. This is likely to be on 16 December 2026 but could be earlier.

27. Commissioner McKay will be responsible for the progress of the hearing, making directions as required to ensure the orderly conduct of the hearing. The hearing will be generally conducted according to the following order:

    a) The Commissioner will first ask Council advisers whether there are any procedural matters or updates about which hearing participants should be aware.
    b) Mr Batley, the author of the s42A report will then briefly talk to his pre-circulated report, to address any changes in recommendations or amendments since the report was circulated.
    c) Submitters will then have an opportunity to talk to their submissions and to call any expert witnesses. The Commissioner may ask questions of submitters and witnesses following the presentation of their submissions.
    d) Once all submitters have spoken, the s42A report author, Mr Batley and advisers of the appended supporting information will then have an opportunity to verbally respond to matters raised by the submitter's presentations, particularly if those matters have led the author to change any recommendations that were made in their pre-circulated s42A or supporting report. Again, the Commissioner will ask questions of the reporting experts.
    e) At the conclusion of the hearing the Commissioner may direct additional reporting from the s42A report author, Council expert advisers, or any submitter expert witnesses on any matters requiring further clarification.

28. Each submitter will be allocated a time to appear at the hearing.

29. It is recommended that submitters arrive at least 30 minutes before their scheduled speaking time – partly to provide for the possibility that the hearing may be going quicker than scheduled, but also to enable submitters to observe the hearing process and get comfortable with the way it works in practice.

30. The Commissioner will invite each submitter to come forward with their representatives / expert witnesses (if any) to the table to present their case in the order set out in the hearings schedule.

31. The Commissioner will provide any expert witnesses the opportunity to speak briefly to a written summary of their evidence. It is not expected that expert witnesses will read out loud their full statement of evidence as the Commissioner will already have read them.

32. Any questions from the Commissioner will be posed at the conclusion of each speaker's presentation so as to avoid breaking the speaker's train of thought.

33. There will be no cross-examination at the hearing. Therefore, speakers must not be interrupted by other submitters or Council officers.

34. Submitters must not go outside the scope of the original submission by asking for changes to PCA that were not sought either generally or specifically in their submission. Similarly, a further submitter, cannot go outside the scope of the primary submission that it supported or opposed. Additional reasons in support of the submission / further submission can however be provided.

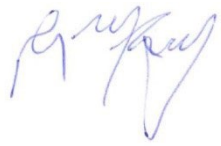
Correspondence and Service of Documents

35. The primary point of contact for all matters relating to the hearings is the Hearing Administrator, who is:
    - Name: Allie Dunn;
    - Email: Allie.Dunn@Tararuadc.govt.nz
    - Phone: +64 6 3744080

36. Submitters and other hearing participants must not attempt to correspond with or contact the Commissioner directly. All correspondence relating to the hearing must be addressed to the Hearing Administrator. If she cannot answer your query, she will pass it on to the Commissioner to address.

37. All pre-circulated evidence and submissions should be sent in either PDF (Adobe Acrobat) or DOC (Microsoft Word) format to PlanChangeA@Tararuadc.govt.nz

38. The key location for up-to-date information on the hearings and any relevant written material is on the PCA web page: https://www.tararuadc.govt.nz/publications/consultations/previous-consultation/plan-change-a-growth-areas



Philip McKay

PCA Independent Commissioner for Tararua District Council

Dated: 12 November 2026