

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER of resource consent applications by **Gisborne District Council – Community Lifelines** for construction and upgrading of approximately 4.2 kilometres of stopbanks, associated earthworks, road raising, drainage and stormwater infrastructure, works within and adjacent to the Waipaoa River, temporary water take and discharge activities during construction, vegetation clearance, temporary access works, service relocations, and landscape planting and site reinstatement.

SECTION 41 RMA - DIRECTION #1

INDEPENDENT HEARING PANEL

PURPOSE

1. The purpose of Direction #1 is to set out a timetable for report, evidence and submissions exchange, and to provide the opportunity for the Hearing Panel and other parties to have read and considered any legal submissions, evidence or statements in advance of the hearing to assist in understanding the case being presented.

BACKGROUND

2. Pursuant to sections 34 and 34A of the Resource Management Act (RMA), Gisborne District Council (**Council**) has appointed as independent hearing commissioners, Cam Twigley (Chair), David Hill and Josh Wharehinga, to hear and make a decision on this application.
3. A hearing has been scheduled to commence on **Monday, 28 September 2026** at 9am in the Council Chamber, 15 Fitzherbert Street, and continue, as needed, through **Wednesday, 30 September 2026**.

DIRECTIONS

4. Pursuant to s.41B and s.41C RMA, the following directions are made with respect to the s.42A report, expert evidence, legal submissions and lay representations:

- (a) The Council must circulate the s.42A Council Hearing Report to all parties in an electronic form (and by hard copy if requested) no later than 4pm on **Monday, 07 September 2026**.
- (b) The Applicant must provide its briefs of evidence to the Council in an electronic form no later than 4pm on **Monday, 14 September 2026**.
- (c) Any submitter who is intending to call expert evidence (i.e. evidence given by a professional with specialist qualifications and experience) must provide those briefs of evidence to the Council in an electronic form no later than 4pm on **Monday, 21 September 2026**.
- (d) Written legal submissions and any rebuttal/reply expert evidence from any party shall be provided to Council in an electronic form no later than midday on **Friday, 25 September 2026**.
- (e) The material required by the above will be placed on Council's website as soon as practicable following receipt.
- (f) Unless otherwise advised expert evidence will be taken as read. Therefore, experts should prepare an executive summary of their evidence for presentation at the hearing on the day. Ideally, the executive summary should be no more than 5 pages.
- (g) For the avoidance of doubt, general submitter representations may be made on the day and is not required to be lodged with Council or circulated in advance - (although this is preferred and is strongly recommended). You must provide written or electronic copies on the day you are scheduled to appear.

HEARING MATTERS

5. The Hearing Panel notes that a number of the submissions raise issues of land acquisition and compensation. The Panel notes that issues concerning land acquisition and compensation are addressed through separate statutory mechanisms, including the Public Works Act 1981. The Panel's role is confined to determining the resource consent applications before it under the Resource Management Act 1991 (RMA). Accordingly, the Panel is unable to determine compensation claims or Public Works Act matters and therefore parties should neither assume that any findings made in this proceeding will determine those issues nor seek to address those specific matters in this hearing. The Panel will, however, consider evidence relating to flooding and other environmental effects to the extent that such matters are relevant under the RMA. The Panel requests that evidence and information presented at the hearing is focussed on RMA matters.

6. The hearing format will be in-person unless any party requests in advance to present virtually (by remote facilities).
7. Parties may provide their written and / or oral evidence and / or legal submissions in Te Reo Māori. If you wish to do so, please:
 - (a) provide an English version of any written document; and
 - (b) indicate whether you are happy to translate any oral kōrero into English or wish for a translator to be appointed. If the latter, please advise Council of that requirement no later than Monday, 14 September 2026.
8. Any enquiries regarding this Direction or related matters should be directed to the Council at NotifiedRC@gdc.govt.nz.



Cam Twigley (Chair)
Independent Hearing Panel

Date: 19 August 2026