

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF Proposed Private Plan Change 13 to
the Hamilton City Operative District
Plan: Te Rapa Racecourse

RESOURCE MANAGEMENT ACT 1991

DIRECTION #2

HEARING PANEL

INTRODUCTION

1. The hearing for proposed Private Plan Change 13 – Te Rapa Racecourse (PC13) began on Wednesday 23 August 2023 and adjourned on Friday 25 August 2023. The purpose of Direction #2 is to set out the timeframes for the Hearing Panel to receive additional information including the applicant's closing statement.

APPLICANTS CLOSING STATEMENT

2. The Hearing Panel had requested at the commencement of the hearing that the closing statement be in writing and have therefore set out a process and timeframes for the applicant, Waikato Racing Club Incorporated (WRCI) as follows:
 - a. WRCI to provide a closing statement by **5pm 29 September 2023**. This is expected to contain legal submissions, together with any proposed amendments to the plan change as a result of discussions between the applicant, submitters and the Council. This shall include a clear indication of matters that are agreed and not agreed by the parties.
 - b. The Hearing Panel will provide any questions of clarification by **5pm 10 October 2023**.
 - c. WRCI to provide written responses to the Hearing Panel by **5pm 20 October 2023**.
3. The Hearing Panel supports an efficient, but open and transparent process, and has yet to consider the most appropriate process to consider the reply and any changes proposed in respect of the plan change. This may include reconvening the hearing. This will be signalled following receipt of the information referred to in paragraph (2)(c) above.

LEGAL SUBMISSIONS FROM HAMILTON CITY COUNCIL

4. The Hearing Panel was expecting to receive legal submissions from legal counsel on behalf of Hamilton City Council, particularly given the matters raised in the legal submissions from Mr Jason Welsh on behalf of Chartwell Investments Limited regarding matters related to the MDRS.¹ The Hearing Panel seeks legal submissions from Hamilton City Council by **5pm 8 September 2023**, that in particular address the matters raised by Mr Welsh.

¹ Legal submissions on behalf of Chartwell Investments Limited, 21 August 2023.

5. The timing of this additional information is to allow WRCI sufficient time to consider the legal submissions and respond in its closing statement.

PROVISION OF MATERIAL AND COMMUNICATIONS TO THE PANEL

6. All communications to the Hearing Panel and all material required by any direction of the Hearing Panel are to be provided to the Hearing Administrator, Mr Steve Rice via the following email address: steve@riceres.co.nz.
7. Upon receipt of any such communications and material, the Hearing Administrator will liaise with Council staff to ensure that they are uploaded to Council's PC13 webpage on the same day they are provided and immediately notify all parties that they are available online. The PC13 webpage can be accessed via the following link: <https://hamilton.govt.nz/property-rates-and-building/district-plan/plan-changes/plan-change-13/>

A handwritten signature in black ink, appearing to read 'Bill Wasley', with a stylized initial 'W'.

Bill Wasley (Chairperson)
Hearing Panel

3 September 2023