
RESOURCE MANAGEMENT ACT 1991

DIRECTION #10

INDEPENDENT HEARING PANEL

Purpose: The purpose of Direction #10 is to issue further directions following Council's response to Direction #8 regarding Historic Heritage Areas.

Introduction

1. Council's response to Direction #8 (Memorandum of Counsel dated 11 July 2023) confirms the purpose of further targeted expert conferencing, recommends the appointment of an independent facilitator, identifies the key expert witnesses to be invited to participate, and provides a timeline for agreeing the methodology for the evaluation of the proposed HHAs against the WRPS App7 criteria (as helpfully proposed by Mr Knott in his supplementary statement of evidence provided with the Memorandum).
2. Council seeks the following directions:
 - (a) *Expert conferencing of the heritage experts on the HHA topic is to be convened in accordance with the relevant protocols contained in Panel Direction #2.*
 - (b) *The Panel appoints Marlene Oliver as independent facilitator for this heritage expert conferencing (**HHA conferencing**) with the single purpose of achieving consensus amongst heritage experts on an agreed methodology for the evaluation of the proposed HHAs against the APP7 criteria.*
 - (c) *Based on participation in the hearing to date, the following heritage experts are invited to participate in the HHA conferencing: **Mr Richard Knott, Mr John Brown, Ms Laura Kellaway, Dr Ann McEwan, and Mr Boris Bogdanovic.** If any party proposes additional/alternate heritage experts, they are to submit a request to Ms Oliver, via the Hearing Coordinator, **by 5pm 20 July 2023.** Ms Oliver will confirm the heritage experts permitted to participate in the HHA conferencing **by 24 July 2023.***
 - (d) *Ten working days before HHA conferencing, each expert participant will be required to submit to Ms Oliver, via the Hearing Coordinator, a tracked copy of any edits that expert seeks to the APP7 evaluation methodology set out at **Attachment 1** to the Knott supplementary statement dated 11 July 2023. Those documents will be made available to all conferencing participants at least five working days before HHA conferencing.*
 - (e) *The HHA conferencing will be convened over one day online via the Microsoft Teams platform **no later than 31 August 2023.** HCC will provide administrative support. The Hearing Coordinator will provide notice of the date for HHA*

conferencing **by 5pm 28 July 2023.**

- (f) *At the conclusion of the HHA conferencing a joint witness statement will be signed by all participants attaching an agreed methodology for the evaluation of the proposed HHAs against the APP7 criteria. Where agreement cannot be reached on any aspect of the methodology, detail of the disagreement will be recorded in the statement.*
 - (g) *Following production of the joint witness statement, Mr Knott will prepare and then lodge with the Panel a supplementary statement setting out his APP7 assessments applying either:*
 - i. *The agreed methodology; or*
 - ii. *If there is no agreed methodology, Mr Knott's final recommended methodology following conferencing.*
3. The Panel accepts that proposal and issues the directions sought accordingly. In addition it adds the following directions:
- (h) Council is to make the HHA JWS available to all parties within 1 week of the expert conference concluding;
 - (i) Mr Knott's supplementary statement, as referred to in paragraph 2(g) above, is to be made available to all parties no later than 4pm Friday, 22 September 2023.
4. All other directions regarding the exchange of evidence in relation to the November 2023 hearing of PC9 topics will issue separately.
5. Any queries or correspondence related to this Direction should be sent through to the Hearing Coordinator, Steve Rice at steve@riceres.co.nz .



David Hill (Chairperson)
Independent Hearing Panel

12 July 2023