

IN THE MATTER OF
AND

the Resource Management Act 1991

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Hamilton CC PC9

RESOURCE MANAGEMENT ACT 1991

DIRECTION #11

INDEPENDENT HEARING PANEL

Purpose: The purpose of Direction #11 is to confirm directions regarding the National Policy Statement for Indigenous Biodiversity 2023 (NPSIB).

Introduction

1. The NPSIB has been released and becomes operative on 4 August 2023.
2. By Direction #9 the Panel sought comment from Council and submitters as to how to address that matter as the PC9 hearings have yet to be concluded, albeit topics Notable Trees and SNAs have been heard.
3. All respondents agreed that the Panel must take the NPSIB into account.
4. The Department of Conservation made the following suggestions:
 - (a) That Council prepare an updated s.32 report addressing the final NPSIB against the SNA provisions of PC9 by 31 August 2023;
 - (b) That submitters be given the opportunity to file evidence on that updated report by 14 September 2023; and
 - (c) That hearing time be set aside during the November hearing for legal submissions and evidence to be heard on the matter.
5. Council suggested the following procedural direction:
 - (a) A standard set of prehearing directions for the exchange of expert evidence on the topics of HHAs, Built Heritage and Archaeological Sites, noting the Panel's expectation that the NPS-IB will be addressed to the extent it is considered relevant.
 - (b) An additional set of directions for the exchange of expert ecological and planning evidence on the topics of Notable Trees and SNAs which addresses the extent to which the NPS-IB is given effect to in the s 42A final recommended plan provisions.
 - (c) That the time allocated to hear that additional evidence on the Notable Tree and SNA topics in the November hearing (if any) is to be determined by the Panel after receipt of the written evidence.
6. Other responses were broadly in line with the above suggestions.
7. Direction #12 to be released tomorrow will detail the hearing timetable for the resumed November 2023 hearing covering both the NPSIB and heritage-related topics.

8. Any queries or correspondence related to this Direction should be sent through to the Hearing Coordinator, Steve Rice at steve@riceres.co.nz .

A handwritten signature in black ink, appearing to read 'David Hill', with a large, sweeping initial 'D'.

David Hill (Chairperson)
Independent Hearing Panel

24 July 2023