

**IN THE MATTER OF**      the Resource Management Act 1991  
**AND**  
**IN THE MATTER OF**      Hamilton City Council's PC9 -  
   Historic Heritage and Natural  
   Environments

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**RESOURCE MANAGEMENT ACT 1991**  
**DIRECTION #13**  
**INDEPENDENT HEARING PANEL**

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**PURPOSE**

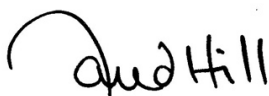
1. The purpose of Direction #13 is to respond to the 25 July 2023 memorandum of counsel for The Adare Company Limited seeking an amendment to paragraph 15(d) of the Direction #12 evidence exchange timetable to enable submitter rebuttal on the NPSIB.

**BACKGROUND**

2. By memorandum dated 25 July 2023, counsel for The Adare Company Limited noted that no provision had been made in the Direction #12 timetable for submitter rebuttal evidence relating to the Session 1 topics addressing the NPSIB. Counsel notes that omission could result in the need to present oral expert evidence at the hearing – which would not be particularly efficient nor effective.
3. The Panel agrees that omission was inadvertent, and that the amendment sought is appropriate.

**DIRECTION**

4. Paragraph 15(d) of Direction #12 is amended as follows:  
*Any rebuttal expert evidence from Hamilton City Council and submitters on the Session 2 topics, or the Session 1 topics addressing the NPSIB only, is to be provided to the Hearing Coordinator no later than 4pm Friday, 6 October 2023.*
5. The complete amended paragraph 15 exchange timetable is attached to this Direction.
6. Any queries or correspondence related to this Direction should be sent through to the Hearing Coordinator, Steve Rice at: [steve@riceres.co.nz](mailto:steve@riceres.co.nz)



David Hill (Chairperson)  
Independent Hearing Panel

26 July 2023

## **Exchange of evidence**

15. Section 41B of the RMA sets out the minimum timeframes for the provision of evidence prior to the commencement of a hearing. Consistent with s.41B, and in the interest of facilitating an efficient and effective hearing, the Hearing Panel sets the following timetable for the exchange of reports and evidence:

### **Built Heritage, Archaeological Sites, Implications for NPSIB (if necessary)**

- (a) The Reporting Officer's s42A 'Themes and Issues' Hearing Report on the Session 2 topics is to be provided to the Hearing Coordinator no later than 4pm Friday, 25 August 2023.
- (b) Hamilton City Council's expert evidence-in-chief on the Session 2 topics, and any supplementary expert evidence on the Session 1 topics addressing the NPSIB only, is to be provided to the Hearing Coordinator no later than 4pm Friday, 1 September 2023.
- (c) Any submitter expert evidence on the Session 2 topics, and any supplementary expert evidence on the Session 1 topics addressing the NPSIB only, is to be provided to the Hearing Coordinator no later than 4pm Friday, 22 September 2023.
- (d) Any rebuttal expert evidence from Hamilton City Council and submitters on the Session 2 topics, or the Session 1 topics addressing the NPSIB only, is to be provided to the Hearing Coordinator no later than 4pm Friday, 6 October 2023.
- (e) Any expert conferencing for Session 2 is to occur between 9 and 27 October 2023.
- (f) Any updated s.42A Hearing Report is to be provided to the Hearing Coordinator no later than 4pm 27 October 2023.
- (g) Any party intending to present legal submissions shall provide a copy of the written legal submissions to the Hearing Coordinator no later than 4pm Wednesday, 1 November 2023.

### **Historic Heritage Areas**

- (h) Hamilton City Council's supplementary expert evidence on the HHA topic is to be provided to the Hearing Coordinator no later than 4pm Friday, 22 September 2023.
- (i) Any expert evidence from submitters in rebuttal to the supplementary evidence on the HHA topic is to be provided to the Hearing Coordinator no later than 4pm, 6 October 2023.
- (j) The Reporting Officer's updated s.42A Hearing Report on the HHA topic is to be provided to the Hearing Coordinator no later than 4pm Friday, 20 October 2023.