

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

---

**RESOURCE MANAGEMENT ACT 1991**  
**DIRECTION #14**  
**INDEPENDENT HEARING PANEL**

---

**PURPOSE**

1. The purpose of Direction #14 is to respond to the 1 August 2023 memorandum of counsel for HCC seeking directions regarding the built heritage topic due to be heard in November 2023.

**BACKGROUND**

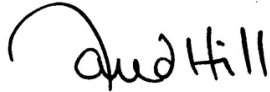
2. By memorandum dated 1 August 2023, counsel for HCC noted from submissions that there is a live contest between experts over the built heritage assessment methodology which, in conjunction with the requirement for a site-by-site assessment of the over 300 proposed built heritage items, poses a scheduling problem for the allocated hearing days.
3. In order to facilitate a more efficient process, counsel proposes that the Panel first hears and makes an interim determination on the assessment methodology and planning framework before addressing the individual built heritage items. Counsel also notes that this would effectively parallel the process put in place for the HHAs (which is also to be heard in November).
4. To that end, counsel seeks directions as follows:
  - (a) *The November 2023 hearing of submissions on the Built Heritage topic will be confined to:*
    - i. *Assessment methodology;*
    - ii. *Planning framework;*
    - iii. *Built Heritage items which are opposed and for which HCC agrees can be withdrawn.*
  - (b) *Any party wishing to comment on the proposed directions and how to ensure integration with the HHA topic shall file memoranda by **4pm Friday, 4 August 2023.***
  - (c) *Any response from HCC is to be filed by **4pm Tuesday, 8 August 2023.***
  - (d) *A Panel direction will issue at the earliest date thereafter.*

**DIRECTION**

5. The Panel invites responses from submitters to counsel's proposal but amends the

time for receipt of those responses and HCC's response as follows:

- (b) Any party wishing to comment on the proposed directions and how to ensure integration with the HHA topic shall file memoranda by **4pm Tuesday, 8 August 2023**.
  - (c) Any response from HCC is to be filed by **4pm Friday, 11 August 2023**.
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)

A handwritten signature in black ink that reads "David Hill". The signature is written in a cursive style with a large, sweeping initial 'D'.

David Hill (Chairperson)  
Independent Hearing Panel

3 August 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.