

HEARING OF PLAN CHANGE 9 BY THE HAMILTON CITY COUNCIL

HISTORIC HERITAGE AND NATURAL ENVIRONMENTS

DIRECTION #2

INDEPENDENT HEARING PANEL

PURPOSE

1. The purpose of Direction #2 is to make directions and confirm arrangements for expert conferencing for the topics the subject of **Session 1: Historic Heritage Areas, Significant Natural Areas, and Notable Trees**, the hearing of which is scheduled for Monday 22 May to Wednesday 7 June 2023. Further directions will be issued on a later date establishing an evidence timetable and dealing with expert conferencing arrangements for the topics the subject of Session 2: Built Heritage, Archaeological Sites¹.

EXPERT CONFERENCING

2. Direction #1 of the Independent Hearing Panel (**IHP**) directs that pre-hearing conferencing commence in the week of **13 March 2023**. Further to that direction, facilitated conferencing sessions will be held between technical specialists (**experts**) on the following topics, dates and times:

Session 1: Ecology and Planning

Tuesday 14 March 2023, 9am-1pm via MS Teams.

Session 2: Arboriculture and Planning

Wednesday 15 March 2023, 9am-1pm via MS Teams.

Session 3: Heritage and Planning

Friday 17 March 2023, 9am-4pm via MS Teams.

Reserve Session (if required): Planning

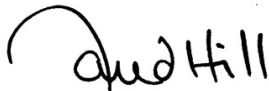
Monday 20 March 2023, 2pm-4pm via MS Teams.

3. The purpose of the sessions is to identify the key facts, assumptions, and issues that are agreed upon by the experts (and the reasons for those agreements) and the key facts, assumptions, and issues on which the experts cannot agree (and the reasons for those disagreements) and, where possible, resolve any differences of opinion of a technical nature. These matters are to be recorded in a joint witness statement to be signed and dated on the day of each conference session. The signed joint witness statements will be circulated by the Hearing Administrator, Mr Steve Rice, to all parties as soon as practicable after each session and prior to the hearing.
4. Experts for Hamilton City Council and experts for submitters who intend to present evidence at the hearing in relation to these topics, and the Reporting Officer (Mr

¹ Hearing scheduled for Monday 6 November to Friday 10 November 2023.

Craig Sharman), are invited to participate in the expert conferencing. Planners for the parties are also invited to attend each session to assist with discussions on the planning provisions relevant to each topic.

5. Former Environment Court Commissioner, Ms Marlene Oliver, has been engaged to facilitate the expert conferencing for Plan Change 9. The conferencing sessions will be held remotely on Microsoft Teams. A link and conferencing agenda will be pre-circulated to all registered participants ahead of each topic session. Parties and experts shall abide any additional instructions Ms Oliver may provide for the effective management of the expert conference sessions and conferencing outputs.
6. The basis for participation of experts in the conferencing will be their agreement to the following:
 - a) The conferencing will be held in accordance with the relevant guidance and protocols for expert conferencing in the Environment Court Practice Note 2023;
 - b) The experts will comply with the relevant provisions of the Environment Court Practice Note 2023;
 - c) They will make themselves available to appear before the IHP; and
 - d) A Joint Witness Statement (JWS) will be produced for each expert conferencing session which is to be signed (or acknowledged through the facilitator if signing is impracticable) by participants and filed with the IHP and posted on the Council's website.
7. If there is a question regarding the participation or expert status of any proposed participant, Ms Oliver shall make that determination in the first instance and may, if necessary, consult with the Panel before determining.
8. The parties who wish to register participation of experts in the conferencing sessions are to advise via email to Mr Rice, the topic sessions that they intend the experts to participate in and the names, expertise, phone number and email address of each expert. This information must be emailed to Mr Rice by 4pm, 21 February 2023. Mr Rice's email is: steve@riceres.co.nz



David Hill (Chairperson)
Independent Hearing Panel

3 February 2023