

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 #21
HEARING PANEL

PURPOSE

1. The purpose of Direction #21 is to respond to Hamilton City Council's (HCC) request for further directions arising from the Panel's Interim Guidance relating to preparations for the specific Built Heritage (BH) hearing next year.

INTRODUCTION

2. By Memorandum of Counsel for HCC dated 13 December 2023, the following directions are sought:

BH items

- (a) The Panel endorses HCC's descriptors for the new significance scale as set out in **Attachment 1** to this memorandum.
- (b) By 1 March 2024 HCC is required to provide the Panel with a report (**categorisation report**) which categorises each of HCC's proposed BH items in accordance with the interim guidance endorsed significance scale into one of the following categories:
 - (i) Outstanding significance;
 - (ii) High significance;
 - (iii) Medium significance
 - (iv) Low significance.
- (c) The categorisation report must also identify which BH items HCC no longer seeks be included within Schedule 8A, and which BH items it continues to seek be included within Schedule 8A.
- (d) By 15 March 2024 any submitter who wishes to take a position on a particular BH item referred to in the categorisation report must advise the Panel:
 - (i) Of the BH items no longer pursued by HCC, whether that submitter continues to support its inclusion in Schedule 8A;
 - (ii) Of the BH items which HCC continues to pursue, whether that submitter continues to oppose or support its inclusion in Schedule 8A.

- (e) By 1 March 2024 WHG, and any other submitter seeking the inclusion of additional BH items, must provide a similar categorisation report to that required from HCC in respect of any BH items they propose be included in Schedule 8A. Further procedural directions will issue in respect of the WHG submission and any other submitter recommended BH items after their report is provided.

HHAs

- (f) Formal notice is recorded that HCC no longer pursues the inclusion of the following proposed HHAs in Schedule 8D:
- (i) Augusta, Casper and Roseburg Streets.
 - (ii) Casey Avenue.
 - (iii) Hooker Avenue.
 - (iv) Jennifer Place.
 - (v) Lamont, Freemont, and Egmont Streets.
 - (vi) Oxford Street (East) and Marshall Street.
 - (vii) Seifert Street.
 - (viii) Springfield Crescent.
 - (ix) Sunnyhills Avenue.
- (g) Any submitter who continues to support the inclusion of any of the above HHAs in Schedule 8D must advise the Panel of their ongoing support by 1 February 2024. Unless an HHA listed above is supported by a submitter, it will then be the subject of an interim decision confirming that HHA is no longer subject to proposed heritage protection under PC9.

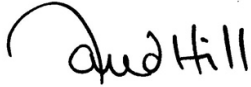
General

- (h) HCC is required to lodge a further reporting memorandum on 31 March 2024 setting out its recommended procedural steps towards a final hearing of heritage-related matters in 2024.
3. The reasons for seeking those directions are explained in Counsel's memorandum (which is available on Council's website) and are not repeated here.

DIRECTION

4. The Panel considers Counsel's request appropriate and makes the directions sought.
5. For clarification the Panel notes the following with respect to paragraph 2(e) above:
- (i) it is only if the submitter continues to seek inclusion of an *additional* BH item not included in HCC's proposed list that a categorisation report must be provided;
 - (ii) any such categorisation report must be prepared by an appropriately qualified person; and
 - (iii) if a submitter continues to support the inclusion but does not provide a categorisation report, that BH item will not be further considered by the Panel.
6. The Panel also notes that the final HCC reporting deadline of 31 March 2024 is actually Easter Sunday and therefore amends the deadline in paragraph 2(h) to 2 April 2024.

7. Finally, the Panel recognises that some parties may, because they have an interest in multiple BH items, find the 2-week response time set out in paragraph 2(d) above, insufficient. If that proves to be the case then an extension to that deadlines may be sought and HCC's final reporting deadline similarly extended.
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 that reads "David Hill". The signature is written in a cursive style with a large, sweeping initial 'D'.

David Hill (Chairperson)
Hearing Panel

14 December 2023