

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 #23

HEARING PANEL

PURPOSE

1. The purpose of Direction #23 is to respond to WEL Energy Networks Ltd's (WEL) late further submission of 4 December 2023, and to counsel for Council's memorandum of 8 March 2024 seeking directions.

INTRODUCTION

2. WEL had lodged a late further submission dated 4 December 2024 – which has only recently been placed before the Panel – seeking to be heard with regard to the extent of an archaeological site (A112), proposed to be included in Schedule 8CA, on its Sandwich Road substation at 57 Sandwich Road, St Andrews.
3. The substantive archaeological sites hearing part of PC9 concluded on 9 November 2023. Expert planning evidence for WEL was presented for that purpose by Michael Campbell and Sara Brown.
4. However, at that hearing the Panel did require Council to prepare plans showing the difference between the extent of the archaeological sites as notified and as now proposed. With respect to WEL's site we understand that that difference was conveyed by Council in a letter received on 24 November 2023 (as indicated in Figure 2 of WEL's late submission). WEL opposes that extension.
5. We referred that matter to Council for its position on the late submission and the relief sought. That is clearly stated in counsel's memorandum and is not repeated here.
6. In its 8 March 2024 memorandum, counsel sought the following directions:
 - a) the late lodging of the further submission be accepted by the Panel;
 - b) HCC's opposition to the relief sought is noted by the Panel;
 - c) WEL provide any written material to support the late further submission by 22 March 2024;
 - d) HCC provide any written material in response by 5 April 2024; and

e) the Panel will then formally close the hearing on this PC9 topic.

DIRECTION

7. Having considered counsel's request, the Panel agrees that is reasonable and issues the directions sought accordingly.
8. At this juncture the Panel notes that it is likely to determine the matter on the papers rather than at hearing. If either party considers that inappropriate then they should address the reasons for that in any correspondence accompanying their written material.
9. Any queries or correspondence related to this Direction should be sent through to the Hearing Coordinator, at planchange@hcc.govt.nz.

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

David Hill (Chairperson)
Hearing Panel

11 March 2024