

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 #6
INDEPENDENT HEARING PANEL

PURPOSE

1. The purpose of Direction #6 is to address the request by Spark New Zealand Trading Limited to lodge a late submission.

DIRECTION

2. By Memorandum dated 5 May 2023, counsel for the Council has sought directions granting Spark New Zealand Trading Limited's (Spark) request to lodge a late submission (Attachment 1 of the Memorandum). Spark made neither a submission nor a further submission on PC9.
3. The PC9 heritage classification provision opposed relates to a building owned by Spark at 7 Caro Street notated in Appendix 8A of the Hamilton District Plan as a Category B built heritage item (Telephone Exchange: H172).
4. From correspondence submitted to Council it appears that notification to Spark was incorrectly addressed and it has only subsequently become aware of the PC9 matter.
5. Council supports the extension of time sought – particularly because built heritage is a PC9 Session 2 matter scheduled to be heard in September 2023 for which a timetable for evidence exchange has yet to be advised.
6. Counsel proposes the following per s.37 RMA:
 - (a) Extending the time limit for Spark to make its submission in relation to the proposal to include 7 Caro Street in Appendix 8A as a Category B built heritage item to 19 May 2023;
 - (b) Extending the time limit by which any person may make a further submission, either in support of or opposition to, Spark's submission to 9 June 2023; and
 - (c) Requiring that all submitters and further submitters on PC9 be notified by the hearing administrator of these directions via their nominated address for service.
7. The Panel has considered that request, agrees that allowing the extension causes no obvious prejudice to any party, is procedurally fair, and Spark is the only person directly affected.

8. The Panel grants the request and directs as per Counsel's proposal in paragraph 6 above.
9. All parties are to be advised accordingly.
10. 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, appearing to read 'David Hill', with a large, sweeping initial 'D'.

David Hill (Chairperson)
Independent Hearing Panel

8 May 2023