

**BEFORE THE HEARING PANEL**

**IN THE MATTER**

of the Resource Management Act 1991

**AND**

**IN THE MATTER**

of Proposed Plan Change 9 to the Operative  
Hamilton City District Plan

**MEMORANDUM FOR SPARK NEW ZEALAND TRADING LIMITED  
ON BUILT HERITAGE TOPIC**

**DATED 3 AUGUST 2023**

## MAY IT PLEASE THE HEARING PANEL

### INTRODUCTION

1. This memorandum is filed by Spark New Zealand Trading Limited (**Spark**). The purpose of the memorandum is to respect the Direction 14 seeking a response to the Hamilton city Council hearing proposal 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 Built Heritage items which are opposed and for which HCC agrees can be withdrawn.**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.*

2. Spark response is as follows:

- (a) Generally comfortable with the proposal of HCC, subject to the following:
  - i. That HCC be directed to advise owners of Built Heritage items that HCC is agreeing to withdraw at the earliest date possible and before the S42a reports are scheduled to be lodged. That is to say well before owners having to commit to preparing evidence and legal submissions for the Built Heritage matters.*
  
  - ii. That owners should have to option to present their whole case at the November hearings rather than just legal, planning on the assessment methodology and framework. The Built Heritage process has been disruptive, causing delays in business decisions related to the building and poorly implemented regarding early consultation before the notification of Plan Change 9.**

Dated 3 August 2023



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