

BEFORE THE INDEPENDENT HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER Proposed Plan Change 9 to the
Operative Hamilton City District Plan

MEMORANDUM OF WAIKATO HERITAGE GROUP

(HISTORIC HERITAGE – BUILT HERITAGE)

DATED 28 SEPTEMBER 2023

MEMORANDUM

1. Mr Knott has filed a supplementary statement of evidence, provided on behalf of Hamilton City Council (HCC), responding to Panel Directions #8 dated 14 June 2023, #10 dated 12 July 2023 and #17 dated 25 August 2023.
2. Mr Knott's supplementary evidence (dated 22 September 2023) addresses:
 - a. The threshold for inclusion as a s6(f) Historic Heritage Area (HHA), in particular:
 - i. The methodology to assess the proposed HHAs against the Waikato Regional Policy Statement (WRPS) APP7 assessment criteria;
 - ii. The RMA requirements in relation to the s 6(f) threshold;
 - iii. The threshold adopted in my recommended methodology;
 - b. The time bands of the three adopted development periods;
 - c. The size / scale of the proposed HHAs;
 - d. WRPS APP7 Assessments for the HHAs recommended in his primary evidence;
 - e. WRPS APP7 Assessments for the HHAs proposed by submitters.
3. Paragraph 11 of Direction 12 states *"the Panel confirms that the hearing timetable below provides for submitter rebuttal evidence for both the Built Heritage / Archaeological sites aspects of PC9 and the HHA methodology"*.
4. Paragraph 15(d) of Direction 12 states *"Any rebuttal expert evidence from Hamilton City Council and submitters on the Session 2 topics is to be provided to the Hearing Coordinator no later than 4pm Friday, 6 October 2023"*.
5. Direction 12 also provides for legal submissions to be filed on behalf of any party (paragraph 15(g)).
6. During session 1 hearings, the panel heard from a number of non-experts, including corporate evidence from submitters. Confirmation is sought on whether lay evidence/submissions (i.e., non-expert) can be provided to the panel for the Session 2 hearings in relation to Mr Knott's supplementary evidence, and any updated s.42A Hearing Report.

7. It is submitted it would be appropriate for all submitters to have the opportunity to address the Panel on the supplementary evidence provided by Mr Knott as this contains information that has not previously been available or considered as part of Session 1 hearings e.g., formal assessments for HHAs proposed by submitters. There should be an opportunity for all submitters to address the panel on this, along with the updated s42A report and legal submissions as appropriate.
8. This confirmation is needed to assist lay submitters with hearing preparation and for hearing timetabling.

DIRECTIONS SOUGHT

1. Confirmation of the opportunity for non-expert evidence to be provided to the panel as part of Session 2 hearings in relation to Mr Knott's supplementary evidence and the updated s42A report, and if possible a minor extension to the date to allow lay submitters to respond.

On behalf of Waikato Heritage Group

28 September 2023