

Hamilton City Council Plan Change 6 to the Hamilton City Operative District Plan: Regulatory efficiency and effectiveness plan change

Procedural Direction 1.

Dated: 8 April 2020

Introduction

1. By resolution of Hamilton City Council (**Council**) dated 19 March 2020, Plan Change 6 to the Hamilton City Operative District Plan (**PC6**) is to be heard and determined by independent commissioners.
2. PC6 was publicly notified on 20 July 2019. The submission period on PC6 ran from 20 July 2019 to 2 September 2019. 30 submissions were received, and the further submission period which closed on 1 November 2019 produced 4 further submissions.
3. On 19 March 2020 Council resolved to withdraw parts of PC6 pursuant to Clause 8 of Schedule 1 to the Resource Management Act 1991 (**RMA**). Submitters were notified of these changes to PC6 by direct notice and public notification during late March 2020.
4. The commissioners will hear submissions in respect of PC6 between 11 and 15 May 2020. New Zealand is currently in a Level 4 Covid-19 lockdown which may extend beyond the hearing dates. If that occurs, the hearing will proceed via zoom conferencing. Accordingly, procedural directions addressing the practical issues of managing the lead in and hearing process during the current Level 4 lockdown are necessary.

The hearing

5. The hearing into submissions on PC6 will proceed on the 11,12,13, and 15 May 2020.
6. If the current Level 4 lockdown terminates prior to the hearing, it is possible that the hearing may proceed in person, with the venue to be confirmed. Further procedural directions will issue in this event.
7. However, pending any change to the current Level 4 lockdown status, it is assumed that the hearing will not be able to proceed in person, and instead the hearing will be convened via zoom conferencing, with all active participants, including submitters, witnesses, Council staff etc attending via zoom, with all other members of the public able to attend via Council's live streaming facility at <https://zoom.us/j/494044199>.

Hearing procedures

8. Due to the fact that submitter presentations will not be in person, it is important that the commissioners receive the submitter presentations in the most effective alternative manner. Using zoom conferencing

facilities, each submitter will be able to actively hear, speak and participate in the hearing.

9. During each submitter's presentation it will be important that the commissioners gain a clear understanding of each point made. Accordingly, submitters will be required to provide their expert evidence and non-expert evidence in writing, in advance of the hearing. The presentation of this evidence at the hearing will comprise each witness making a statement of confirmation of the written evidence, highlighting any key points to be identified from the written materials, and then answering commissioner questions.
10. To ensure each submitter is effective in their presentation, submitters are encouraged not to stray from pre-circulated written materials.
11. Further detailed procedural directions will issue prior to the hearing commencing and will be restated at the beginning of each hearing day. In addition, support will be provided to participants regarding how to optimise the online hearing process.

Pre-hearing timetable

12. In light of the matters addressed above, pursuant to s41B of the RMA, the following pre-hearing timetabling directions are made:
 - a. The s42A report and any accompanying materials are to be sent to submitters and made available on the Council website at [Hamilton.govt.nz/planchange6](https://www.hamilton.govt.nz/planchange6) by no later than 5pm 9 April 2020;
 - b. All Submitter expert evidence is to be lodged with Council at HCC.Governance@hcc.govt.nz by no later than 5pm 1 May 2020;
 - c. All submitter non-expert statements and /or materials including any legal submissions which are intended to be read and referred to at the hearing, are to be lodged with Council HCC.Governance@hcc.govt.nz by no later than 5pm 6 May 2020.

Dated 8 April 2020

Luke O'Dwyer

City Planning Manager