

**IN THE MATTER OF**      the Resource Management Act 1991  
**AND**  
**IN THE MATTER OF**      Proposed Private Plan Change 2 to  
the Hamilton City Operative District  
Plan: Te Awa Lakes Private Plan  
Change

---

**SECTION 41C RESOURCE MANAGEMENT ACT 1991 - DIRECTION #3 - HEARINGS  
COMMISSIONERS**

---

1. Under section 34A of the Resource Management Act 1991 (RMA), Hamilton City Council has delegated to David Hill (Chair), Alan Watson and Shane Solomon, independent hearings commissioners, the hearing and decision on proposed Private Plan Change 2 – Te Awa Lakes (PC2).
2. PC2 was lodged on 11 September 2017, publicly notified on 1 November 2017, submissions closed on 29 November 2017 and further submissions closed on 2 February 2018. The application was suspended by request dated 18 April 2018 and recommenced on 17 May 2019.
3. On 31 October 2019 we received a further Memorandum of Counsel seeking directions regarding hearing procedure. In that Memorandum Mr Nolan expressed a clear preference for what he termed the “conventional or standard manner” of proceeding, being serial presentation of each party’s case rather than the “topic” or “block” approach indicated by Commissioners in earlier Minutes. Mr Nolan also expressed concern that segmenting the procedure might give the appearance that Commissioners were not seeing the Applicant’s case as an integrated whole – and may thereby create a prejudice.
4. On that latter point Commissioners’ assure the Applicant that is not how we see the matter. The approach we propose is to enable us to better appreciate the nuances of the respective related evidence. We accept that the application is to be considered as an integrated whole.
5. On the first matter we maintain our view that like issues will be best heard and interrogated together. We thank Mr Nolan for his proposed 4-block approach which, subject to receiving submitter evidence as indicated in his paragraph 19, we propose to adopt.
6. We therefore direct that the hearing proceed as follows in 4 blocks, with the Applicant’s witnesses presenting on all block topics first, followed by submitters in support on those block topics, and then submitters opposed. The respective block topics will be as follows:
  - (a) Block 1 – corporate, urban design, visual and landscape, mana whenua / cultural, economics and planning;
  - (b) Block 2 – geotechnical and feasibility;
  - (c) Block 3 – transportation, three waters, water quality, biosecurity and acoustics;
  - (d) Block 4 - soil contamination, archaeology, ecology, air quality and lighting.
7. General submissions will follow Block 4.
8. Once submitter evidence is received Mr Rice will prepare and circulate a draft Hearing Schedule.

9. All and any correspondence relating to this Direction should be sent through Mr Steve Rice, Hearing Administrator: [steve@riceres.co.nz](mailto:steve@riceres.co.nz) .

A handwritten signature in black ink that reads "David Hill". The signature is written in a cursive style with a large, sweeping initial 'D'.

David Hill (Chairperson)  
Independent Hearings Commissioner Panel

1 November 2019