

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 - MINUTE #8 - 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 16 October 2019 we received a further Joint Memorandum of Counsel dated 2 September 2019 (Applicant and Hamilton City Council) seeking directions regarding two matters:
 - (a) The need for an adjournment following hearing of the strategic and industrial land-related issues as foreshadowed at paragraph 5(g) of Direction #2 dated 16 September 2019; and
 - (b) Amendments to the dates set down in paragraphs 5(e) and (f) of Minute #6 dated 30 June 2019 for evidence exchange, recognising that the first date falls on Labour Day.
4. Having considered that Memorandum, we note the following under s41C of the RMA:
 - (a) On the first matter we agree that, if as advised, the s42A report and associated technical reviews and relevant Joint Witness Statements indicate that the strategic and industrial land-related issues are no longer a matter of significant disagreement between the applicant and Council's reporting team, then the need for an adjournment as indicated in Direction #2 may not be necessary. However, until we have completed our reading of the s42A report etc – noting that witnesses in their Joint Witness Statements reserve their final positions across the board on many issues - and had the advantage of sighting the submitter evidence on the matter, we are in no position to confirm that such may not be necessary. Meanwhile, we record that at this stage the need for that appears less likely – in which case the matter would proceed seamlessly in the normal way across strategic and more site-based topics. To that end we will confirm our position no later than Friday 25 October 2019 – subject to the *proviso* that things may change through the course of the hearing itself.
 - (b) On the second matter we agree that the evidence exchange dates should be moved 1 day each to recognise Labour Day Monday. The revised exchange dates are as follows:
 - (i) Applicant expert evidence due Tuesday, 29 October 2019; and
 - (ii) Submitter expert evidence due Tuesday, 12 November 2019.

5. Any and all correspondence relating to this Direction should be sent through Mr Steve Rice, Hearing Administrator: steve@riceres.co.nz .

A handwritten signature in black ink, appearing to read "David Hill". The signature is written in a cursive style with a large, sweeping initial "D".

David Hill (Chairperson)
Independent Hearings Commissioner Panel

17 October 2019