

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.

**RESOURCE MANAGEMENT ACT 1991 - MINUTE #5 - 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. A hearing on the matters was scheduled to commence on or about Monday, 16 July 2018.
3. On 18 April 2018 the applicant’s agent formally requested that the processing of PC2 be suspended, and the scheduled evidence exchange, expert caucusing and hearing dates, as set out in our Direction #1 of 15 February 2018, be set aside.
4. On 27 April 2018 we issued Minute #2 agreeing to that request and noting that further progress advice would be provide by the applicant by 31 May 2018.
5. On 1 June 2018 we issued Minute #3 agreeing to a further request to defer the hearing and requiring a progress report by 17 August 2018.
6. By letter dated 27 August 2018 the applicant’s agent advised that it had requested a Te Awa Lakes Special Housing Area generally coinciding with the residential portion of PC2, and that Council had resolved, on 26 June 2018, to recommend the scheduling of such to the Minister for Housing and Urban Development, with a requirement to deliver a minimum of 1,000 dwellings.
7. We were further advised that pending decision on that request, expected within the following two months, a resource consent for a qualifying development would be lodged under the Housing Accords and Special Housing Area Act 2013 with the expectation of that being determined in the first quarter of 2019.
8. As the outcome of that process could influence PC2 in a material way, the applicant sought a continuation of the suspended hearing to the conclusion of that process, with a further report on progress proposed by 30 April 2019.
9. On 26 August 2018 we issued Minute #4 granting that request.
10. On or about 30 April 2019 we were advised that, consequent upon the Associate Minister’s decision to decline the Council-recommended SHA request, the applicant had determined to continue with the Private Plan Change request and recommence the PC2 process.
11. This Minute confirms that process has recommenced.
12. Having consulted with Council, parties are advised as follows:

- (a) Commissioners understand that Council intends to issue the applicant with a request for an updated set of supporting assessments / plan provisions and section 32. We understand that request is likely to issue within the next week.
 - (b) Once that information is received and reviewed by Council (and subject to no further information / clarification being then requested) we will be in a position to issue directions (among other things) regarding a schedule for evidence exchange, possible expert witness caucusing, and a hearing commencement date.
 - (c) We understand the applicant has indicated a strong preference for this matter to be heard this year. In order for the hearing to commence at the earliest in October this year, it will be necessary for the updated information that is to be sought by Council to be provided in both a timely fashion and be sufficiently complete for Council's purpose. We note that the availability of parties' expert witnesses will also be a factor.
 - (d) Subject to 12(b), we anticipate being able to issue the next direction by mid-July.
13. This Minute is to be circulated to all parties – which may be by means of posting on Council's website should that be more convenient.
14. All and any correspondence relating to this Minute should be sent through Mr Steve Rice, Hearing Administrator: steve@riceres.co.nz .



David Hill (Chairperson)
Independent Hearings Commissioner Panel

17 May 2019