

## HAMILTON CITY COUNCIL

### HEARING OF RESOURCE CONSENT APPLICATIONS BY WESTON LEA LIMITED DIRECTIONS OF COMMISSIONER HEARING PANEL: No. 5

#### **Publicly Notified Applications**

*Applications by Weston Lea Limited to develop approximately 105 hectares of land adjoining the western bank of the Waikato River in Peacocke Hamilton at 337-461 Peacockes Road, Hamilton. The location is fully described by the application for resource consent. The subdivision and development will provide for 862 dwellings on individual certificates of title. In addition, there will be two large lots proposed adjacent to Peacockes Road to be development in the future for a mixed use residential/commercial centre (development of these lots is not part of current applications). Earthworks, new roading, cycleways, walkways, additional planting within a retained esplanade, and three waters infrastructure are required to enable to the development and a number of open space areas are included in the applications.*

Further to Direction No 1 dated 22 February 2019, the Commissioners have determined that it would be appropriate for expert witnesses in the fields of Terrestrial Ecology and Bat Ecology to undertake further caucusing for the purpose of resolving remaining issues and to consider and outline appropriate conditions

Accordingly, we make the following directions:

#### **Caucusing of Expert Witnesses**

We have considered the joint witness statement of terrestrial ecology experts dated 18 February 2019 which outlined areas/ topics where there was agreement; and also set out key matters that were remained unresolved. We have heard expert evidence since the commencement of the hearing which indicates to us that some matters have been progressed to agreement.

We therefore direct that further caucusing be undertaken on Tuesday 14 May by the bat ecology experts, to review/ re-confirm those matters of agreement and those that remain outstanding, in accordance with the hearing timetable. It is noted that expert caucusing on this date was and remains scheduled as part of the hearing timetable.

In respect of those matters that remain outstanding, sufficient detail is to be provided to enable the commissioners to have a clear understanding of the areas of disagreement, the extent of that disagreement, and the reasons why.

The bat ecology caucusing shall continue on Wednesday 15 May if required, and subject to the availability of all experts. If all of the bat ecology experts are unable to caucus on Wednesday and further caucusing is required, further directions will be issued for a later caucusing date.

Mr Kessels will not present his evidence on Tuesday.

## **Adjournment**

We intend to adjourn the hearing at the commencement of the bat ecology caucusing on Tuesday 14 May 2019.

## **Section 42A Officer's Response**

The section 42A officer's response (including legal submissions on behalf of HCC as regulatory authority) is to be made available to all parties via the HCC website by 9am on the 25<sup>th</sup> of June 2019.

## **Reconvening of Hearing**

We shall issue a further direction regarding a date (tentatively early July) for reconvening the hearing.

A handwritten signature in black ink, appearing to read 'Bill Wasley', with a stylized 'W' and 'A'.

Dated this 13<sup>th</sup> day of May 2019

Bill Wasley

Commissioner Chair  
on behalf of the Hearing Panel