

**IN THE MATTER OF
AND**

the Resource Management Act 1991

IN THE MATTER OF

Proposed Private Plan Change 13
to the Hamilton City Operative District
Plan: Te Rapa Racecourse

SECTION 41B RESOURCE MANAGEMENT ACT 1991

DIRECTION #1

HEARING PANEL

PRELIMINARIES

1. Under section 34A of the Resource Management Act 1991 (RMA), Hamilton City Council (Council) has delegated to Bill Wasley (Chair), Lee Beattie and Mark Donovan as hearings commissioners (Hearing Panel) the power to hear submissions and make decisions on proposed Private Plan Change 13 – Te Rapa Racecourse (PC13).
2. Waikato Racing Club Incorporated (WRCI) lodged its private plan change request in September 2022. PC13 was accepted by Council and limited notified on 15 February 2023, submissions closed on 15 March 2023. Further submissions were notified on 13 March 2023 and closed on 28 April 2023.
3. The purpose of Direction #1 is to set out the directions for the hearing of PC13 and to establish a timetable for the exchange of evidence.

HEARING

4. The hearing will be held on Wednesday 23 August through to Friday 25 August 2023. A hearing notice advising parties about the venue and times will issue in due course.
5. After liaising with all parties/submitters in advance of the hearing, the Hearing Administrator will prepare a hearing schedule which will show the hearing sequence and time allocated to each party/submitter that seeks to be heard by the Hearing Panel. However, it should be noted that there may be some variation to that schedule during the hearing due to any circumstances that may arise.

EXCHANGE OF EVIDENCE

6. Section 41B of the RMA sets out the minimum timeframes for the provision of evidence prior to the commencement of a hearing. Consistent with s41B and in the interest of facilitating an efficient and effective hearing, the Hearing Panel sets the following timetable for the exchange of evidence:
 - (a) The Council's s42A Hearing Report is to be provided to the Hearing Administrator no later than 4pm Wednesday, 12 July 2023.

- (b) The proponent's expert evidence-in-chief is to be provided to the Hearing Administrator no later than 4pm Wednesday, 26 July 2023.
- (c) Any submitter expert evidence is to be provided to the Hearing Administrator no later than 4pm Wednesday, 9 August 2023.
- (d) Any rebuttal evidence is to be provided to the Hearing Administrator no later than 4pm Wednesday, 16 August 2023.
- (e) Any party intending to present legal submissions shall provide a copy of the written legal submissions to the Hearing Administrator no later than 4pm, Monday 21 August 2023.

HEARING PROTOCOL

- 7. Unless otherwise advised by the Hearing Panel, all pre-circulated evidence will be taken as read by the Hearing Panel. Accordingly, witnesses will not be required to read their pre-circulated evidence in full at the hearing. Instead, witnesses should present a written summary of their evidence, which may include any evidence prepared in rebuttal – noting that rebuttal is not an opportunity to advance new material nor to repeat points already made in primary evidence. On the day of the hearing, and prior to their presentation to the Hearing Panel, witnesses are requested to hand 10 hard copies of any written summary to the Hearing Administrator.

PROVISION OF MATERIAL AND COMMUNICATIONS TO THE PANEL

- 8. All communications to the Hearing Panel and all material required by any direction of the Hearing Panel are to be provided to the Hearing Administrator, Mr Steve Rice via the following email address: steve@riceres.co.nz.
- 9. Upon receipt of any such communications and material, the Hearing Administrator will liaise with Council staff to ensure that they are uploaded to Council's PC13 webpage on the same day they are provided and immediately notify all parties that they are available online. The PC13 webpage can be accessed via the following link: <https://hamilton.govt.nz/planchange13>



Bill Wasley (Chairperson)
Hearing Panel

29 June 2023