

IN THE MATTER OF

The Resource Management Act 1991

And

An application by Invercargill Licensing Trust for Resource Consent to Demolish buildings, including a Class 2 heritage building, and construct and operate a new, eight level hotel incorporating 80 hotel suites, a restaurant, café, bars, function spaces, car parking and other guest facilities at the corner of Dee and Don Street

COMMISSIONER'S MINUTE dated 26. 09.18

HEARING AND PRE-CIRCULATION OF EVIDENCE

1.0 Introduction

1.1. I have read the applications and supporting materials and submissions. I consider that pre-circulation of expert evidence is desirable.

1.2 This Minute sets a timetable for pre-circulation of evidence ahead of the hearing scheduled for **Wednesday 28th November 2018 to Friday 30th November 2018**.

The hearing will be held in the Invercargill City Council Chambers, 101 Esk Street Invercargill. It will commence at 9.30am on Wednesday 28 November 2018.

1.3 My preference is that evidence is focused on matters in contention and the Applicant's evidence does not unnecessarily repeat material already in the application.

2.0 Circulation of Evidence Directions Under RMA s41B

2.1 The Council's section 42A report must be circulated in accordance RMA s 42A(3) by **30 October 2018**.

2.2 The Applicant's expert's Briefs of Evidence must be filed with the Council by **13 November 2018**.

2.3 Any submitter calling expert evidence must file with the Council a Brief of Evidence by that expert by **20th November 2018**.

3.0 Other Matters

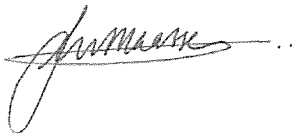
3.1 I will, before the hearing, read, the Council's section 42A report and any pre-circulated evidence. All of that written material will be taken as read at the hearing. So will submissions filed. None of it needs to be read aloud at the hearing (and I discourage parties from doing so). That will assist the efficiency of the hearing. However, any party who wishes to highlight the key points of any pre-circulated material, by way of a concise summary, will be given an opportunity to do so.

3.2 I intend to make a site visit before the hearing.

- 3.3 All pre-circulated evidence and this Minute must be posted on the Council's website.
- 3.4 Please bring at least eight copies of other written material not pre-circulated with you.
- 3.5 I encourage all participants to advise the Council if they are going to call a planner to let the Council know as soon as possible. I encourage all planners to confer and provide me with a joint planning bundle comprising the relevant planning provisions under s 104 and identify their source in the plan or proposed plan or policy statement. Any planning maps and overlays should be included.
- 3.6 Any volunteered and proposed conditions by the Applicant including to address matters in contention must be provided as part of expert planning evidence that is pre-circulated.
- 3.7 If there are any non-statutory documents regarding heritage or inner-city revitalisation that are relevant and that I am asked to consider then please provide these in electronic form.

3. Order of Proceedings at Hearing

- 3.1 The basic programme for the hearing is:
 1. Introductions, housekeeping and procedural issues (if any);
 2. The applicant presents the application;
 3. Commissioner's questions;
 4. Submitters who have indicated they wish to be heard (and their witnesses);
 5. Commissioner's questions of submitters and their witnesses;
 6. Council officer(s) present their report and respond to any new information;
 7. Applicant's right of reply
- 3.2 Any questions about this Minute should be directed to Mr Boylan at the Council (email: terence.boylan@icc.govt.nz or ph (03) 2111-701) who will confer with me as necessary.



John Maassen (Commissioner)
26 September 2018