

IN THE MATTER OF

The Resource Management Act 1991

AND

An application to the Invercargill City Council by HWCP Management Ltd for Resource Consent to demolish, alter and redevelop land and buildings on the Central Business District in a block bounded by the east side of Dee Street, the south side of Esk Street, the west side of Kelvin Street and the north side of Tay Streets.

CHAIRPERSON'S MINUTE DATED 4 FEBRUARY 2019

HEARING AND PRE-CIRCULATION OF EVIDENCE

1.0 Introduction

- 1.1 The Council has appointed three Commissioners to hear this application: John Maassen (lawyer), Gina Sweetman (planner) and Jane Black (urban design).
- 1.2 I am Chair, I have read the applications and supporting materials and submissions. I consider that pre-circulation of expert evidence is desirable.
- 1.3 This Minute sets a timetable for pre-circulation of evidence and other housekeeping matters ahead of the hearing scheduled to commence at the Invercargill City Council on **25 March 2019**.

The hearing will be held in the **Invercargill City Council Chambers, 101 Esk Street Invercargill**. It will commence at **9.30am** on Monday **25 March 2019**.

- 1.4 It is preferable that expert evidence is focused on matters in contention and the Applicant's expert 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 **4 March 2019**.
- 2.2 The Applicant's expert's Briefs of Evidence must be filed with the Council by **11 March 2019**.
- 2.3 Any submitter calling expert evidence must file with the Council the expert's Brief of Evidence by that expert by **18 March 2019**.

3.0 Other Matters

- 3.1 The Panel 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. 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. Experts should give a short precis of the main matters in contention to which their evidence relates.
- 3.2 The Panel members individually will make a site visit before or after the hearing.
- 3.3 All pre-circulated evidence and this Minute will 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 All participants are encouraged to advise the Council if they are going to call a planner to let the Council know as soon as possible. The Panel encourages all planners including the Council reporting planner to confer with each other and provide the Panel with a paginated 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 and a Word version supplied to the hearing.
- 3.7 If there are any non-statutory documents regarding heritage or inner-city revitalisation that are relevant and that the Panel is asked to consider then please provide these in electronic form.

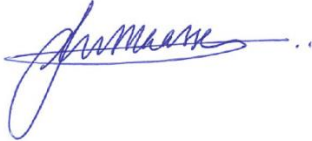
4.0 Order of Proceedings at Hearing

- 4.1 The programme for the hearing is , in outline, as follows:
 1. Introductions, housekeeping and procedural issues (if any);
 2. The applicant presents the application;
 3. Commissioners' questions;
 4. Submitters who have indicated they wish to be heard (and their witnesses);
 5. Commissioners' 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.

4.2 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 the Panel as necessary. A schedule for hearing will also be prepared by Mr Boylan.

5.0 Late Submissions

5.1 The Council reviewed 44 submissions. Apparently, several are late submissions. If the Applicant wants to oppose a waiver of non-compliance with statutory timeframes it should do so by **22 February 2019** and demonstrate any prejudice it claims will arise.

A handwritten signature in blue ink, appearing to read 'John Maassen', with a horizontal line extending to the right.

John Maassen (Chairperson)
4 February 2019