

**IN THE MATTER OF** the Resource Management Act 1991  
**AND**  
**IN THE MATTER OF** Waikato IPIs – Hamilton CC PC12,  
Waipā DC PC26 and Waikato DC  
Variation 3.

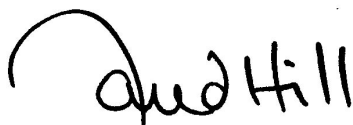
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**RESOURCE MANAGEMENT ACT 1991**  
**DIRECTION #8**  
**INDEPENDENT HEARING PANEL**

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**Purpose:** The purpose of Direction #8 is to address the matter raised in the 31 January 2023 Memorandum of Counsel for Te Awa Lakes & Ors [TAL] concerning the process for filing submissions on scope matters.

1. In his Memorandum of Counsel for TAL, Mr Gibbons notes an inconsistency in the process for filing submissions on scope matters between Directions #6 and #7 (in this instance) and seeks an amended direction requiring Council to lodge formal legal submissions (as opposed to “assertions” made in the Themes and Issues Report) as to why it considers the matters noted in Direction #6 and, we add, the question of inclusionary zoning / affordable housing provisions noted in Direction #7, are out of scope.
2. Mr Gibbons submits that it is more appropriate that Council states its legal position on that matter clearly first so that submitters are then in a proper position to respond.
3. Having considered that request further the Panel agrees that the process suggested by Mr Gibbons (and the reasons advanced) are persuasive and we therefore amend the directions in paragraph 13 of Direction #6 & paragraph 4 of Direction #7 as follows:
  - (a) Council is to provide legal submissions as to why it believes that the submissions identified in paragraph 11 of direction #6 and, if it considers the matter addressed in Direction #7 similarly, are out of scope by 10 February 2023.
  - (b) Parties who wish to argue they are within scope shall file responses by 17 February 2023.
  - (c) Parties who disagree with (b) above shall file responses by 21 February 2023.
  - (d) The Council can, if it wishes, provide response submissions by 24 February 2023.
4. Directions #6 and #7 are otherwise unamended.
5. Any queries or correspondence related to this Minute should be sent through to the Hearing Coordinator, Steve Rice at [steve@riceres.co.nz](mailto:steve@riceres.co.nz) .



David Hill (Chairperson)  
Independent Hearing Panel  
1 February 2023