

**IN THE MATTER OF** the Resource Management Act 1991  
**AND**  
**IN THE MATTER OF** Matamata-Piako Private Plan Change  
58 – Avenue Business Park.

---

## **RESOURCE MANAGEMENT ACT 1991**

### **DIRECTION #3**

#### **INDEPENDENT HEARING PANEL**

---

**Purpose:** The purpose of Direction #3 is to set out the hearing process for PC58.

1. A hearing on this matter has been scheduled to commence on Monday, 26 February 2024 at 9.30am – and continue, if required, through Tuesday, 27 February 2023. The hearing will be held in the Matamata-Piako District Council Boardroom, 35 Kenrick Street, Te Aroha.
2. Having now received and read the required reports, evidence, submissions and ancillary material, the Hearing Panel (the Panel) notes that the matters remaining at issue between the respective parties have narrowed considerably. Those are well set out in the hearing material for the Panel to determine and do not need to be presented in detail at the hearing. As such a relatively short hearing is now anticipated.
3. The Panel therefore issues the following s.41C RMA directions:
  - (a) Following the Panel’s opening, the Proponent’s counsel may present its legal submissions and identify the matters that still remain at issue. The Proponent’s experts may then make short executive summary presentations – their evidence will be taken as read – and then answer any questions from the Panel.
  - (b) The Panel will then invite submitters / representatives in the following order to make short presentations (no more than 10 minutes each) and answer any questions the Panel may have:
    - (i) Matamata-Piako District Council - Nathan Sutherland;
    - (ii) Calcutta Farms No 2 Ltd - Kathryn Drew;
    - (iii) Peter Hexter;
    - (iv) Warren and Sandra Davenport;
    - (v) Lockerbie Estate Limited;
    - (vi) Bowers Brothers Concrete Limited;
    - (vii) Maven Matamata Limited; and
    - (viii) Andrew Barker.

The Panel is not aware of any other submitter seeking to be heard – but if they are they should make themselves known prior to the commencement of

the hearing so that a place can be assigned for hearing them (the same time limit will apply).

- (c) The s.42A report team (Todd Whittaker and associated expert witnesses) may then respond to matters heard and answer questions from the Panel.
  - (d) In reply, the Proponent may recall any of its expert witnesses to respond to any specific issue raised that had not already been sufficiently addressed in evidence. Note, that this is not to be used as an opportunity to re-run or restate primary evidence.
4. The Panel will then adjourn the hearing.
  5. Any queries or correspondence related to this Direction should be sent to Council through Patricia Kaumoana at [PKaumoana@mpdc.govt.nz](mailto:PKaumoana@mpdc.govt.nz) .

A handwritten signature in black ink that reads "David Hill". The signature is written in a cursive, flowing style.

David Hill (Chairperson)  
Independent Hearing Panel  
23 February 2024