

**Directions/Minute of the Commissioner #2
SUB21/47781**

**Application for resource consent for B, M and R Sim for a 6 lot subdivision at 6 and 42
Leith Road, Okato, New Plymouth.**

- a) I issued Minute #1, dated 13 May 2022, setting out the timetabling pursuant to section 103B of the Resource Management Act 1991 (RMA), and other matters as to the conduct of the hearing.
- b) Today, 20 May 2022, I received a memoranda from Counsel for the Applicant, Mr Grieve, seeking an extension to the date for filing of all the applicant's evidence until 3pm Wednesday 25 May 2022 (see attached). The memorandum setting out the reasons for the requested extension. I further received an email from Mr Grieve, via the hearings' administrator, advising a correction to paragraph 4 of the attached memoranda, noting that a hearing on 8 June or 10 June 2022, would not be outside the 75 working day time limit.
- c) I am advised by the hearings' administrator that the Council and section 42A reporting officers are not opposed to the request.
- d) While the submitter on the application has not requested to heard, I have considered their situation in light of the fact they may change their position. Taking that into account, and as matter of fairness, a similar extension of time for filing would be appropriate.
- e) Having considered all of the above, the request for the extension is granted.
- f) Accordingly, the timetable set out in Minute #1, is amended as follows:
2. Pursuant to section 103B(3) of the RMA, the Commissioner directs that the Applicant is to provide written briefs of all their evidence to Jane Hickmott (jane.hickmott@npdc.govt.nz), Hearings' Administrator at NPDC, by way of email, no later than **3pm on Wednesday 25 May 2022**.
 3. The Commissioner requests that as soon as practicable following receipt of any such evidence received pursuant to Direction 2, NPDC provides a copy to all other parties to these proceedings by way of email with a link to the Council's website.
 4. Pursuant to section 103B(4) of the RMA, the Commissioner directs that if any person who has made a submission intends to present expert evidence at the hearing, including expert planning evidence, then that party is to provide a written brief of that expert evidence to Jane Hickmott, Hearings' Administrator at NPDC, by way of email, no later than **3pm on Wednesday 1 June 2022**.
 5. The Commissioner requests that as soon as practicable following receipt of any such evidence received pursuant to Direction 4, NPDC provides a copy to all other parties to these proceedings by way of email with a link to the Council's website.
- g) The remainder of the timetabling, matters as to the conduct of the hearing and the date and time of hearing of **10.00am Wednesday 8 June 2022** (corrected from 2021 in Minute #1) are unchanged.
- h) Any correspondence to the Commissioner should be directed through Jane Hickmott Hearings' Administrator at NPDC (jane.hickmott@npdc.govt.nz).



Mark St.Clair
Independent Commissioner - Chair
Date 20 May 2022