

**Directions/Minute of the Commissioner #8  
SUB21/47781 and LUC22/48312**

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

1. I issued Minute #7 (incorrectly numbered #6), dated 23 November 2022, setting out the timetabling pursuant to section 103B of the Resource Management Act 1991 (RMA), and other matters as to the recommencement of the hearing for the now combined subdivision and land use consent applications.
2. The Section 42A RMA Report timetabled for distribution on Tuesday 6 December 2022, has been pre-circulated to the parties.
3. Today, 13 December 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 Tuesday 24 January 2023 (see attached). The memorandum sets out the reasons for the requested extension.
4. I am advised by the hearings' administrator that the Council and section 42A reporting officers are not opposed to the request.
5. 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, an extension of time for filing would be appropriate.
6. Having considered all of the above, I find that no party would be unduly prejudiced and hence the request for the extension is granted.
7. 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 Tuesday 24 January 2023**.
8. The Commissioner requests that as soon as practicable following receipt of any such evidence received pursuant to Direction 7, NPDC provides a copy to all other parties to these proceedings by way of email with a link to the Council's website.
9. 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 (jane.hickmott@npdc.govt.nz), Hearings' Administrator at NPDC, by way of email, no later than **3pm on Tuesday 7 February 2023**.
10. The Commissioner requests that as soon as practicable following receipt of any such evidence received pursuant to Direction 9, NPDC provides a copy to all other parties to these proceedings by way of email with a link to the Council's website.
11. In terms of Directions 7 and 9 the reports and evidence should be provided to NPDC electronically by email. Hard copies of the evidence should only be provided on request.
12. On receipt and review of the above-mentioned evidence, I will then set out the next steps in the hearing process.

13. Any correspondence to the Commissioner should be directed through Jane Hickmott Hearings' Administrator at NPDC ([jane.hickmott@npdc.govt.nz](mailto:jane.hickmott@npdc.govt.nz)).

A handwritten signature in black ink, appearing to read 'Mark St. Clair', with a stylized flourish at the end.

Mark St.Clair  
**Independent Commissioner - Chair**  
**Date 13 December 2022**