

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of hearing submissions and
further submissions on the
Proposed Waikato District Plan

AND

IN THE MATTER of matters arising at the
hearing of submissions on
Chapter 2 – Tangata Whenua

AMENDED DIRECTIONS FROM HEARING COMMISSIONERS

11 February 2020

Introduction

1. We issued a Minute and Directions on 20 November 2019 regarding a process to further consider submissions and further submissions on “Chapter 2 – Tangata Whenua” of the proposed Waikato District Plan (“**proposed plan**”).
2. On 10 February 2020 we received a Memorandum from Mr Will Gauntlett of the Waikato District Council (“**District Council**”) advising us as follows:
 1. Arising from Hearing 4 which addressed Tangata Whenua provisions in the Proposed Waikato District Plan, the Hearings Panel issued directions (dated 20 November 2019) for all submitters and further submitters on Chapter 2 and District Council staff to participate in a workshop session to discuss the possible scope of a revised Chapter 2 of the Proposed District Plan. The parties that were present at the hearing endorsed the proposal that the workshop should occur as soon as was realistically achievable, preferably before Christmas but no later than the end of February 2020.
 2. A date was initially set for the workshop as 20 February 2020. Council requires assistance from a planner and legal counsel who are experienced in Maaori land ownership tenure and challenges, as well as the processes of the Maori Land Court. Unfortunately the people experienced in these areas will not be available until April 2020.
 3. The workshop is important to Council, and Council wishes to participate meaningfully having been informed by the best possible information available. For

this reason, Council respectfully requests that the Hearings Panel consider delaying the workshop. As the Hearings Panel have indicated that it will not be issuing interim decisions (apart from the Ohinewai rezoning requests), I consider delaying the workshop will not hinder overall delivery of an integrated decision from the Panel.

4. Council therefore seeks the following direction from the Hearing Panel:
 - (a) That the workshop to discuss the possible scope of a revised Chapter 2 be held before 15 May 2020.

Directions

3. Whilst any delay is regrettable, we consider it critically important that the proposed workshop (see our Minute and Directions dated 20 November 2019 for further details) be as productive as possible and that for this to occur the District Council needs to receive appropriate professional advice.
4. Accordingly, we amend our Directions issued on 20 November 2019 as follows:
 - a. Subject to paragraphs 4 b.–c. and 5 below, the workshop to discuss the possible scope of a revised Chapter 2 of the proposed plan is required to be held no later than 15 May 2020.
 - b. The Hearings Administrator is to provide these Directions to all parties who lodged submissions or further submissions on Chapter 2 **as soon as possible** and post them on the District Council's website.
 - c. If any submitter or further submitter has any objection to the amended date referred to in paragraph 4 a. above, they are to advise the Hearings Administrator, Ms Sandra Kelly, in writing, **no later than 5 pm on Friday 14 February 2020**, either by email or in hard copy at the following addresses:

Email <mailto:Districtplan@waidc.govt.nz>

or

Hard copy

Either

Mailed to: The District Plan Hearings Administrator
 Waikato District Council
 Private Bag 544
Ngaruawahia 3742

Attention: Sandra Kelly

or

Delivered to: The District Plan Hearings Administrator
 Waikato District Council
 15 Galileo Street
Ngaruawahia 3720

Attention: Sandra Kelly.

5. Further Directions may be issued pending receipt of any written advice received in respect of paragraph 4 c. above.

Questions Arising from These Directions

6. Any person who is uncertain about any matters addressed in these Directions, is encouraged to contact the Hearings Administrator.



P H Mitchell (Chair)

On behalf of Commissioners P Mitchell, P Cooney and L Te Aho

11 February 2020