

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 Proposed Infrastructure
Provisions

DIRECTIONS FROM HEARING COMMISSIONERS

4 November 2020

Introduction

1. The hearing of submissions and further submissions on the Proposed Waikato District Plan (“**proposed plan**”) that relate to managing “Infrastructure” was held on 20 October 2020 (“**Infrastructure Hearing**”) via Zoom.
2. As will be evident from the questions from the Panel during the course of the Infrastructure Hearing, there are three areas where further information would assist the Panel’s decision making, namely:
 - a. In respect of the provisions relating to noise and vibration associated with major transport corridors;
 - b. In respect of the provisions related to managing the electricity transmission network; and
 - c. General drafting matters.
3. The Hearings Panel wishes to stress, as it has previously, that it has reached no conclusions on any matters addressed at the Infrastructure Hearing, and is seeking additional information from the parties to assist in that process.
4. We therefore issue the following Directions.

Directions

Noise and Vibration from Transport Corridors

5. Representatives of the Waikato District Council (“**the Council**”), the New Zealand Transport Agency (“**NZTA**”), Kiwi Rail, Kainga Ora and Parkmere Farms/Mr and Mrs Young are invited to:
 - a. Liaise further regarding the objectives, policies and rules of the proposed plan that relate to noise and vibration from transport corridors (“**the transport corridor noise and vibration provisions**”), with the intention of seeing to what extent a consensus position might be reached on those provisions; and
 - b. No later than **5pm on Wednesday 11 November 2020**, advise the Hearings Administrator, Mr Fletcher Bell (see below for contact details) whether further liaison, as per Direction 5a. above is proposed, and if so, which of the parties that will participate and the identify the “nominated representative” in accordance with Direction 6 below.

6. If the answer to Direction 5b. above is “yes”:
 - a. No later than **5pm on Friday 27 November 2020**, the nominated representative is to provide a redlined version of the amended transport corridor noise and vibration provisions to all parties that presented evidence or submissions on those provisions at the Infrastructure Hearing and to the Hearings Administrator. All areas of agreement and disagreement between the Council, NZTA, Kiwi Rail, Kainga Ora and Parkmere Farms/Mr and Mrs Young are to be clearly identified on a party by party basis.
 - b. No later than **5pm on Friday 11 December 2020**, any other submitter who presented evidence or submissions on the transport corridor noise and vibration provisions at the Infrastructure Hearing who wishes to do so, is to provide the nominated representative and the Hearings Administrator with any drafting amendments they propose, and to identify areas of agreement and disagreement.
 - c. No later than **5pm on Monday 21 December 2020**, the nominated representative is to provide a revised redlined version of the transport corridor noise and vibration provisions to the Hearings Administrator and all parties that presented evidence or submissions on those provisions at the Infrastructure Hearing. All areas of agreement and disagreement are to be clearly identified on a party by party basis.
 - d. **As soon as possible thereafter**, the Hearings Administrator is to provide the revised redlined version to the Hearings Panel and post them on the Council website.

Electricity Transmission Network

7. Representatives of the Council, Transpower, and Kainga Ora are invited to:
 - a. Liaise further regarding the objectives, policies and rules of the proposed plan that relate to the electricity transmission network (“**electricity transmission network provisions**”), with the intention of seeing to what extent a consensus position might be reached on those provisions; and

- b. No later than **5pm on Wednesday 11 November 2020**, advise the Hearings Administrator, Mr Fletcher Bell (see below for contact details) whether further liaison, as per Direction 7a. above is proposed, and if so, which of the parties that will participate and the identify the “nominated representative” in accordance with Direction 8 below.
8. If the answer to Direction 7b. above is “yes”:
- a. No later than **5pm on Friday 27 November 2020**, the nominated representative is to provide a redlined version of the amended electricity transmission network provisions to all parties that presented evidence or submissions on those provisions at the Infrastructure Hearing and to the Hearings Administrator. All areas of agreement and disagreement between the Council, Transpower and Kainga Ora are to be clearly identified on a party by party basis.
 - b. No later than **5pm on Friday 11 December 2020**, any other submitter who presented evidence or submissions on the electricity transmission network provisions at the Infrastructure Hearing who wishes to do so, is to provide the nominated representative and the Hearings Administrator with any drafting amendments they propose, and to identify areas of agreement and disagreement.
 - c. No later than **5pm on Monday 21 December 2020**, the nominated representative is to provide a revised redlined version of the electricity transmission network provisions to the Hearings Administrator and all parties that presented evidence or submissions on those provisions at the Infrastructure Hearing. All areas of agreement and disagreement are to be clearly identified on a party by party basis.
 - d. **As soon as possible thereafter**, the Hearings Administrator is to provide the revised redlined version to the Hearings Panel and post them on the Council website.

General Drafting

- 9. No later than **5pm on Friday 4 December 2020**, Council representatives are to provide a revised version of the all the objectives policies and rules of the proposed plan that apply to Infrastructure to all parties that presented evidence or submissions at the Infrastructure Hearing and to the Hearings Administrator. For the avoidance of doubt, that document need not address matters arising from Directions 5 – 8 above, but should address all other amendments that the Council considers either aid clarity and/or which address matters raised by the Hearings Panel during the Infrastructure Hearing.
- 10. No later than **5pm on Friday 18 December 2020**, any submitter who presented evidence or submissions at the Infrastructure Hearing who wishes to do so, is to provide the Hearings Administrator with any drafting amendments they propose, and to identify areas of agreement and disagreement.
- 11. **As soon as possible thereafter**, the Hearings Administrator is to provide the documents referred to in Directions 9 and 10 to the Hearings Panel and post them on the Council website.

General Directions

- 12. The Panel has not issued line by line Directions on each of the topics set out above and requests that the parties carefully consider the contents of the recordings of the

Infrastructure Hearing, and, in particular, the questioning by Panel members, when responding to these Directions.

13. If there are any timing amendments that a party considers necessary, these are to be submitted to the Hearings Administrator.
14. The Hearings Panel may issue further Directions on these matters, as and when necessary.

Questions from Parties

15. Any questions regarding these Directions are to be addressed to the Hearings Administrator, Mr Fletcher Bell. His contact details are as follows:

Email Districtplan@waidc.govt.nz

Telephone 027 214 8052



P H Mitchell (Chair)

For the Hearings Panel

4 November 2020