

**BEFORE A PANEL OF INDEPENDENT HEARING COMMISSIONERS IN THE  
WAIKATO REGION**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHEKE WAIKATO**

**UNDER** the Resource Management Act 1991 (RMA)

**AND**

**IN THE MATTER** of Proposed Variation 3 to the Waikato Proposed  
District Plan (PDP)

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**MEMORANDUM ON BEHALF OF WAIKATO DISTRICT COUNCIL RELATING TO  
TIMETABLING**

**16 May 2023**

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**TOMPKINS | WAKE**

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## INTRODUCTION

1. This memorandum relates to:
  - (a) Timetabling for stormwater information and conferencing, in response to the memoranda from Synlait and Ms Noakes; and
  - (b) Proposed conferencing date for wastewater and water matters.

## STORMWATER

2. In our memorandum of 3 May 2023, we advised that investigations relating to stormwater for the four towns included in Variation 3 were taking longer than anticipated. We stated that:

The stormwater work will not be available to circulate to submitters prior to the Council's section 42A report. We are therefore proposing to include conferencing on stormwater matters after the exchange of evidence in chief from all parties but prior to rebuttal evidence. Conferencing after the exchange of evidence is not an uncommon practice and can result in the conferencing being more focused and efficient.

3. It was the intent of the Council that the expert report on stormwater would be attached to the Council's Section 42A report on 13 June 2023, and that one of the authors of the report would provide a statement of evidence on 20 June. This would have allowed the submitters three weeks to consider the information before their evidence was due to be circulated on 4 July.
4. We received the Synlait memorandum from the Hearings Administrator on Wednesday 10 May, without any advanced notice.<sup>1</sup> With respect, the Synlait memorandum incorrectly interpreted that the stormwater information would not be available to submitters until 20 June when the Council's evidence is due. The memorandum from Ms Noakes agrees

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<sup>1</sup> We note that, contrary to its memorandum, Synlait has not raised stormwater concerns in its submission or further submissions on Variation 3.

with the Synlait memorandum and notes that two weeks between receiving information and producing evidence is not sufficient.

5. As a result of the concerns raised by the submitters, we have spoken to Council's stormwater experts, and the Council will now be in a position to circulate the stormwater information to the submitters on 6 June 2023.
6. While the Council will be busy preparing the Section 42A report and evidence at this time, it may be possible to have informal meetings with submitters after 6 June to discuss any technical issues that might arise from the stormwater information, prior to the more formal conferencing occurring after the exchange of evidence. The Council has already asked the submitters to identify whether they have technical stormwater experts, to enable earlier engagement.
7. The Council does not consider any other changes to the timetable are necessary. Submitters will have the stormwater information for a month before preparing their evidence and for nearly two months before the start of the hearing.

#### **WASTEWATER AND WATER CONFERENCING**

8. The conferencing on wastewater and water matters was timetabled for the week of 22 May 2023. The Council has engaged Marlene Oliver to facilitate the conferencing, however she is unavailable in the week of 22 May. Conferencing on wastewater and water is now scheduled for 30 May 2023.

Signed this 16<sup>th</sup> day of May 2023

  
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B A Parham / J A Gregory  
Counsel for Waikato District Council