

**IN THE MATTER OF**      the Resource Management Act 1991  
**AND**  
**IN THE MATTER OF**      Waikato DC Variation 3.

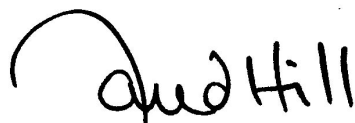
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**RESOURCE MANAGEMENT ACT 1991**  
**MINUTE #8**  
**INDEPENDENT HEARING PANEL**

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**Purpose:** The purpose of Minute #8 is to address the matter raised in the 31 January 2023 Memorandum of Counsel for Synlait Milk Limited concerning the process overlap between Variation 3 and the on-going Environment Court appeals on the Proposed District Plan.

1. In his Memorandum of Counsel for TAL, Mr Robinson sought guidance from the Panel on when it is appropriate for particular evidence to be heard which relates to the appropriateness of the zoning extent and mitigation package (in relation to the land owned by submitter 105: Havelock Village Limited) to ensure that nothing 'slips through the cracks'. He noted that while that evidence was not directly related to the MDRS issue as a qualifying matter, it was critical to the issue of rezoning rural land to residential. He also noted that the matter had been the subject of considerable and contested evidence in the PDP process.
2. The Panel is mindful of the parallel processes in train and recognizes the potential problem thereby occasioned.
3. We referred the Memorandum to Ms Bridget Parham, counsel for Council, for comment.
4. Ms Parham advised that she was intent on addressing the parallel process in her legal submissions - due next week - to which parties could, in turn, respond.
5. The Panel accepts that course of action and declines to issue a further direction at this point.
6. Any queries or correspondence related to this Minute should be sent through to the Hearing Coordinator, Steve Rice at [steve@riceres.co.nz](mailto:steve@riceres.co.nz) .



David Hill (Chairperson)  
Independent Hearing Panel  
1 February 2023