

**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)

**MEMORANDUM ON BEHALF OF WAIKATO DISTRICT COUNCIL
SEEKING AMENDMENTS TO CERTAIN TIMETABLE DIRECTIONS**

3 May 2023

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INTRODUCTION

1. This memorandum seeks amendments to the timetable for Proposed Variation 3, the Waikato District Council's Intensification Planning Instrument. In Direction 10 the Panel confirmed the timetable set out below. The dates shown in grey are not proposed to be changed by this memorandum. A revised timetable showing new dates is set out at paragraph 8 below.

2. Current timetable:

(a) Council to circulate qualifying matters and controls for the Havelock Precinct (excluding infrastructure and stormwater on 24 April 2023 [this has been completed]).

(b) Council to circulate information on infrastructure capacity and any additional controls to give effect to Te Ture Whaimana by 5 May 2023;

(c) Council to circulate any other qualifying matters required as a result of removing the Urban Fringe QM (other than those above) by 19 May 2023;

(d) Conferencing on Havelock Precinct in the week of 15 May;

(e) Conferencing on infrastructure capacity in the week of 22 May 2023;

(f) Conferencing on Pookeno stormwater in the week of 22 May 2023;

(g) Conferencing/mediation regarding Tuurangawaewae Marae and cultural viewshafts in the week of 29 May 2023;

- (h) Conferencing or mediation on any other topic in the week of 29 May;
- (i) Council's section 42A report due 13 June 2023;
- (j) Council's expert evidence in chief due 20 June 2023;
- (k) Submitters evidence in chief due 4 July 2023;
- (l) Any rebuttal evidence (of Council or submitters) due 11 July 2023;
- (m) Legal submissions due 18 July 2023; and
- (n) Hearing commencing 26 July 2023.

INFRASTRUCTURE INVESTIGATIONS REQUIRING AMENDMENTS TO THE TIMETABLE

3. The Council now seeks amendments to the timetable steps relating to the three waters infrastructure. Having accepted that the Urban Fringe QM cannot meet the legal tests in the RMA, the Council has been undertaking investigations of its three waters systems to assess whether the application of the MDRS in the General Residential Zone in Tuakau, Pookeno, Huntly and Ngaaruawaahia would result in adverse effects that require the use of qualifying matters under section 77I.
4. In relation to wastewater and water networks, the investigation work is progressing well. The Council seeks a minor amendment to the timetable to provide for wastewater and water information and controls to be circulated a week later – by 12 May 2023. We consider that conferencing can still occur in the week of 22 May and will seek to schedule the conferencing later in that week, allowing parties nearly two weeks to consider the information before participating in conferencing.
5. In relation to stormwater in the four towns, the investigations are unfortunately taking longer than anticipated. The primary reason for this is that stormwater flood modelling needs to be updated for the four

towns. The experts engaged by the Council have therefore been working as quickly as possible to model stormwater flooding and then understand the impact of greater housing intensification on flood prone areas.

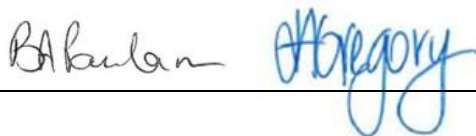
6. The stormwater work will not be available to circulate to submitters prior to the Council's section 42A report. We are therefore proposing to include conferencing on stormwater matters after the exchange of evidence in chief from all parties but prior to rebuttal evidence. Conferencing after the exchange of evidence is not an uncommon practice and can result in the conferencing being more focused and efficient.
7. New dates are proposed for rebuttal evidence and legal submissions prior to the hearing commencing to accommodate this change.

NEW TIMETABLE

8. The Council seeks the following replacement timetable:
 - (a) Council to circulate qualifying matters and controls for the Havelock Precinct (excluding infrastructure and stormwater on 24 April 2023 [this has been completed]).
 - (b) Council to circulate information on wastewater and water infrastructure capacity and any additional controls to give effect to Te Ture Whaimana by 12 May 2023;
 - (c) Council to circulate any other qualifying matters required as a result of removing the Urban Fringe QM (other than those above) by 19 May 2023;
 - (d) Conferencing on Havelock Precinct in the week of 15 May 2023 (confirmed for 17 May);

- (e) Conferencing on wastewater and water infrastructure capacity in the week of 22 May 2023;
- (f) Conferencing/mediation regarding Tuurangawaewae Marae and cultural viewshafts in the week of 29 May 2023;
- (g) Conferencing or mediation on any other topic in the week of 29 May;
- (h) Council's section 42A report due 13 June 2023;
- (i) Council's expert evidence in chief due 20 June 2023;
- (j) Submitters evidence in chief due 4 July 2023;
- (k) Conferencing on stormwater on 10 or 11 July 2023;
- (l) Any rebuttal evidence (of Council or submitters) due 19 July 2023;
- (m) Legal submissions due 21 July 2023; and
- (n) Hearing commencing 26 July 2023.

Signed this 3rd day of May 2023



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