

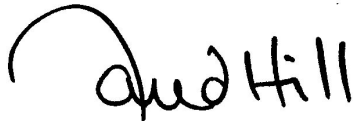
IN THE MATTER OF the Resource Management Act 1991
AND
IN THE MATTER OF Waikato IPIs – Hamilton CC PC12,
Waipa DC PC26 and **Waikato DC**
Variation 3.

RESOURCE MANAGEMENT ACT 1991
DIRECTION #6
INDEPENDENT HEARING PANEL

Purpose: The purpose of Direction #6 is to address the matter raised in the 17 January 2023 Memorandum of Counsel for Adare Company Limited [Adare] concerning the scope for considering inclusionary zoning / affordable housing provisions as sought by certain submitters.

1. In his Memorandum of Counsel for Adare, Mr Doesburg notes that the question of inclusionary zoning / affordable housing provisions was not specifically identified as a scope matter in the directions sought and made under Direction #5.
2. Mr Doesburg notes that submitters seeking that relief include:
 - Waikato Community Lands Trust, Bridge Housing Charitable Trust, Waikato Housing Initiative, Habitat for Humanity Central Region, Momentum Waikato – submission number 298.1; and
 - Waikato Housing Initiative – submission numbers 287.2, 287.3, 287.4, 287.5, 287.6.
3. Adare opposes such provisions and seeks both directions and early determination as to whether such are in scope of the relevant plan changes / variation. This, he submits, could avoid unnecessary time and preparation cost for parties.
4. The following directions are sought:
 - (a) Any party who considers that submissions seeking “inclusionary zoning / affordable housing provisions” are beyond the scope of Plan Change 12, provide written legal submissions to the Hearing Coordinator setting out their reasons for their position by 10 February 2023;
 - (b) Submitters seeking that “inclusionary zoning / affordable housing provisions” be added to Plan Change 12 are to provide written legal submissions to the Hearing Coordinator in support of their relief being within scope by 17 February 2023;
 - (c) The Councils and any party who provided legal submissions in accordance with (a) above are to provide written submissions in response to the Hearing Coordinator by 24 February 2023; and
 - (d) Subject to any requirement for a scope hearing, the Panel will issue a determination on each submission/affected submission point by 3 March 2023.
5. While Adare’s submission is focussed on Hamilton City’s PC12, he notes (and we agree) that the same issue arises for Waipa’s PC26 and Waikato’s Variation 3.

6. Having considered the matter raised and having sought the view of counsel for the three councils the Panel agrees that those directions should issue with respect to each of the three plan changes / variation.
7. The panel directs accordingly, with the appropriate reference changed to Plan Change 26 in the case of Waipa District Council and Variation 3 in the case of Waikato District Council.
8. Any queries or correspondence related to this Minute should be sent through to the Hearing Coordinator, Steve Rice at steve@riceres.co.nz .

A handwritten signature in black ink that reads "David Hill". The signature is written in a cursive style with a large, sweeping initial 'D'.

David Hill (Chairperson)
Independent Hearing Panel
18 January 2023