

**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 (Stage 1)

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**MEMORANDUM BY COUNCIL TO HEARING COMMISSIONERS RELATING TO THE RELEASE  
OF THE ZONING FRAMEWORK REPORT  
5 November 2020**

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**May it please the Hearing Commissioners:**

1. The Hearing Panel's Directions of 12 May 2020 set out the information exchange process for the Zoning Extent Hearing (Hearing 25) and the reasons and benefits for the first report being Council's Framework s42A Report.
2. Paragraph 12(a) of these Directions set the due date for the Framework s42A Report as 80 working days prior to the commencement of the Zoning Extent hearing. Further, paragraph 13 of the Directions outlined that the due date for the Council's Framework s42A Report, and the other reports both from submitters and from the council, can be updated with the actual dates identified once the hearing dates for the Zoning Extent hearing has been confirmed.
3. Council initially scheduled Hearing 25 to commence on 22 February 2021, and subsequently informed the Panel and submitters that this date would be moved to 16 March 2021.<sup>1</sup> While Council understands that moving the dates may be confusing for submitters, Council recognises the importance of integration between Stages 1 and 2 of the Proposed District Plan. Council is mindful that the provisions and hearing for natural hazards (formerly known as Stage 2 of the Proposed District Plan) will be important information for the consideration of submissions seeking rezoning. It is therefore logical for Hearing 25 to follow after the natural hazard hearing which is scheduled for early May 2021. This will ensure that the hearings on the rezoning requests will be fully informed by the evidence on natural hazards to be given in Stage 2 which may impact the rezoning of certain land.
4. Delaying Hearing 25 until May 2021 does not affect the release date for the Hearings Panel's decision which is 18 September 2021, nor does it cause prejudice to any submitters as the decisions for both stages of the Proposed District Plan will be released at the same time.
5. The purpose of this memorandum is to be transparent to both the Panel and submitters that the start date for Hearing 25 will shift to 17 May 2021.
6. This will result in consequential changes to the dates for processes leading up to Hearing 25 as follows:
  - (a) The Council is to prepare and release the Framework s42A Report by 19 January 2021;
  - (b) The submitters requesting rezoning are to file their evidence for the hearing, including a section 32AA assessment, no later than 17 February 2021;
  - (c) The submitters opposing any rezoning request are to file their evidence for the hearing no later than 10 March 2021;
  - (d) The Council is to prepare and release all individual section 42A reports for the hearing no later than 16 April 2021;

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<sup>1</sup> Memorandum to the Panel from Council, dated 8 October 2020

- (e) Any rebuttal evidence by the proponents and opponents of the rezoning is to be filed no later than 3 May 2021;
  - (f) The Council is to prepare Reply section 42A reports to address matters arising in the evidence of the parties, no later than 10 May 2021;
  - (g) Any legal submissions and a written summary of the evidence ("highlights package") are to be filed no later than 12 May 2021;
  - (h) The hearing would commence on 17 May 2021.
7. The framework report is currently being reviewed and refined. It is Council's expectation that it will be completed in advance of 19 January 2021, in which case it will be made available on the website before the due date. If the framework report is released early, the subsequent dates for the various exchanges of evidence and hearing commencement will not change from those outlined above in paragraph 6.

Dated at Ngaruawahia this 5<sup>th</sup> day of November 2020



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**Carolyn Wratt**  
Principal Planner