

IN THE MATTER OF the Resource Management Act 1991 (the RMA)

AND

IN THE MATTER OF The Proposed Waitomo District Plan

DIRECTION 1 FROM THE HEARING PANEL –

HEARING DATES AND EVIDENCE EXCHANGE FOR THE FIRST TRANCHE OF HEARINGS.

1. Pursuant to sections 34 and 34A of the RMA, Waitomo District Council (the Council) has appointed a Hearing Panel consisting of four independent hearing commissioners – Greg Hill (Chair), Phil Brodie, Councillor Allan Goddard and an Iwi Commissioner (to be confirmed), to hear and make recommendations to the Council on the submissions made to the Proposed District Plan (PDP). The delegations include addressing any procedural matters.
2. The hearing of submissions will be heard in tranches (mostly likely two). This is due to both Council resourcing and the availability of the Hearing Commissioners. The hearing topics for the first tranche are attached in Appendix 1 to this Direction. Subsequent hearing topics, including the likelihood of an alternative dispute resolution (ADR) process for some of those topics, will be announced later in a separate Direction.
3. The hearing of submissions to the tranche 1 hearing topics is scheduled to commence on **Tuesday 16 July 2024** starting at **9.00am**, at the Council Chambers, 15 Queen Street, Te Kuiti. A hearing schedule will be developed closer to this time once the Council knows who is appearing and how much time each submitter may need to present their submission(s). This will determine how many hearing days will be required, but it is unlikely to extend beyond 19 July 2024.
4. The Council’s Hearing Administrator, Kayla Hemara, will shortly make contact with submitters who indicated in their submission that they wished to be heard, and ask:
 - Do you still wish to be heard;
 - How much time you request to present your submission or evidence (see more on this below);
 - If you are a lay submitter, whether you require the assistance of a “friend of submitters” to help navigate the procedural process;
 - Will you present in-person (preferred) or virtually (by remote facilities); and

- If you intend to be represented by legal counsel and/or calling expert witnesses (e.g. transport, landscape, planning experts)¹.
5. In terms of procedural matters, Section 42A of the RMA provides that the Council may prepare a report on the matters to be considered and be provided prior to the hearing. Also, section 41B of the RMA provides that the Hearing Panel may direct evidence from any expert to be provided before the hearing.
 6. Accordingly, the Hearing Panel directs as follows:
 - (a) Pursuant to section 42A of the RMA, the section 42A hearing report(s) is to be made available to parties on-line no later than **5.00 pm, Friday 7 June 2024;**
 - (b) Submitters' expert evidence (evidence given by a professional with specialist qualifications and experience) is to be emailed to the Council (at the email address below), no later than **midday, Friday 21 June 2024.** It will then be made available to parties on-line no later than **5.00 pm, Friday 21 June 2024.**
 - (c) Pursuant to sections 41B of the RMA, any rebuttal evidence is to be emailed to the Council (at the email address below), no later than **midday, Friday 5 July 2024.** It will then be made available to parties on-line no later than **5.00 pm, Friday 5 July 2024.**
 7. While these Directions do not strictly apply to lay or non-expert statements/evidence, the Hearing Panel would appreciate any written statements to be presented at the hearing to be emailed to the Council (at the email address below) no later than, **midday, Wednesday 10 July 2024.** It will then be made available to parties on-line no later than **5.00 pm, Wednesday 10 July 2024.**
 8. The Hearing Panel also requests that parties pre-circulate their legal submissions (if any) in advance of the hearing, to be emailed to the Council (at the email address below), preferably no later than, **midday, Wednesday 10 July 2024.** They will then be made available to parties on-line no later than **5.00 pm, Wednesday 10 July 2024.**
 9. The opportunity for remote appearance (via AVL) for submitters/witnesses will also be made available subject to prior arrangement with the Council. Details of this will be communicated closer to the commencement of the hearing.
 10. The purpose of these Directions is to provide the opportunity for the Hearing Panel and the other parties to have read and considered any legal submissions, evidence or statements in

¹ Submitters are not required to have legal counsel or expert witness, and can speak to your submission at the hearing if you have indicated an intention to appear at the hearing.

advance of the hearing to assist in understanding the case being presented. As the Hearing Panel will have read all the pre-circulated material before the hearing, there will be no need for it to be read out. An executive summary may be read out or the key points highlighted.

11. Any correspondence relating to this Direction and related matters should be sent to the Council's Hearing Administrator, Kayla Hemara via email kayla.hemara@waitomo.govt.nz.

A handwritten signature in black ink, appearing to read "Greg Hill", followed by a period.

Greg Hill (Chair)
for the Hearing Panel
23 April 2024

Appendix 1 – Tranche 1 Hearing Topics

HAZARDS AND RISKS

- 21. Contaminated land - CL
- 22. Hazardous substances - HS
- 23. Natural hazards - NH

SUBDIVISION

- 29. Subdivision - SUB

GENERAL DISTRICT-WIDE MATTERS

- 30. Activities on the surface of water - ASW
- 31. Amateur radio - AR
- 32. Coastal environment - CE
- 33. Earthworks - EW
- 34. Financial contributions - FC
- 35. Hapori whānui (Provisions for community wellbeing, safety and amenity) - HW
- 36. Light - LIGHT
- 37. Noise - NOISE
- 38. Relocated buildings and shipping containers - RLB
- 39. Signs - SIGN
- 40. Temporary activities - TEMP

PART 3 – AREA-SPECIFIC MATTERS

ZONES PRECINCTS

Residential

- 41. Residential zone - RESZ
 - Railway Cottage Cluster Precinct – PREC1
 - Te Kumi Commercial Precinct – PREC2

Rural

- 42. General rural zone - GRUZ
 - Aerodrome Precinct – PREC3
- 43. Rural production zone - RPROZ
- 44. Rural lifestyle zone - RLZ
- 45. Settlement zone - SETZ
 - Mokau Commercial Precinct – PREC4

Commerce

- 46. Commercial zone - COMZ
Te Kūiti CBD Precinct - PREC5

Industrial

- 47. Industrial zone - INZ

Open space and recreation

- 48. Natural open space zone - NOSZ
- 49. Open space zone - OSZ

Special purpose

- 50. Future urban zone - FUZ
- 51. Māori purpose zone - MPZ
- 52. Tourism zone - TOUZ

Multi-zone precincts

- 53. Amenity Precinct – PREC6
- 54. Te Maika Precinct – PREC7

PART 4 – APPENDICES AND MAPS

SCHEDULES

- SCHED10 Areas of outstanding natural character
- SCHED11 Areas of high/very high natural character
- SCHED13 Coastal environment overlay

APPENDICES

APP1 Information requirements for resource consent applications

APP5 Structure plan requirements

Please note; where it is necessary for completeness, plan definitions and mapping provisions may be included in the above topics.