

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF the hearing of submissions in relation to
the Proposed Timaru District Plan

MINUTE 43
HEARING H AND FURTHER MATTERS OF CLARIFICATION

INTRODUCTION

[1] The Panel¹ is currently preparing for Hearing H which will take place on 2-4 September 2025 and has identified a number of further issues and questions for submitters and the Council in relation to:

- (a) Sites of Significance to Māori (SASM) – Further evidence provided in Council Interim Reply from the Ngāi Tahu Rock Art Trust.
- (b) Arrangements for Public Excluded session for viewing of sensitive cultural evidence.
- (c) Matters arising from the Stormwater Joint Witness Statement.
- (d) Drafting of Energy and Infrastructure Policy EI-P2.
- (e) Definitions.

Resumed hearing of Sites of Significance to Māori (SASM) – Further evidence provided in Council Interim Reply from the Ngāi Tahu Māori Rock Art Trust.

[2] In Minute 24 the Panel requested that Mr Henry respond to a question regarding existing evidence of geological and hydrological analysis of the impact of woodlots/plantation forestry

¹ The Timaru District Council ("the Council") appointed Cindy Robinson (Chairperson), Ros Day-Cleavin, Councillor Stacey Scott, Jane Whyte, Megen McKay, and Raewyn Solomon ("the Panel") to hear submissions and further submissions, and evidence to make decisions on the Timaru Proposed District Plan ("the Proposed Plan") pursuant to Section 34A(1) of the Resource Management Act 1991 ("RMA"). Our delegation includes all related procedural powers to conduct those hearings.

on limestone, and/or the preservation of Māori rock art. The Council responded by providing a statement from Ms Amanda Symon on behalf of the Ngāi Tahu Māori Rock Art Trust (the Trust).

[3] The Panel notes that the statement was not provided as part of the initial s42A Report, and although the Panel heard some evidence from submitters and Council about the role of the Trust in the resource consent process, there was no evidence from the Trust, and the Trust is not a submitter on the PDP.

[4] Submitters on the SASM 8 and 9 have not had the opportunity to consider and respond to the evidence from Ms Symon. On that basis the Panel invites those submitters to provide any written comments to the matters raised by Ms Symon by **25 August 2025**.

Arrangements for Public Excluded Session to view sensitive cultural evidence

[5] The Panel confirms that arrangements have been made with Arowhenua representatives to attend a public excluded session at the commencement of Hearing H on 2 September 2025 in the Council Chambers, to enable the Panel to view cultural heritage mapping. Our directions regarding the requirements for the Public Excluded Session are set out in Minute 24. For the avoidance of doubt, only the Panel members and representatives of Arowhenua will be in attendance for that session.

Matters arising from the Stormwater Joint Witness Statement

[6] In Minute 24 and 25 the Panel requested expert witnesses conferencing on Stormwater submissions. A Joint Witness Statement (JWS) was filed as appendix B to Mr Willis' Interim Reply on 17 April 2025, which included a revised set of provisions.

[7] The Panel directs the Council to serve the JWS directly on all submitters on the Stormwater Chapter, and invites those submitters to provide any written comments by **25 August 2025**.

Drafting of Energy and Infrastructure Policy E1-P2

[8] The Panel has some difficulty interpreting the requirements of Policy E1-P2 and understanding how it is to be applied in practice. It is not clear how E1-P2.2 with the conjunctive '**and**' in E1-P2.3 are to be interpreted relative to the '**while**' that sits between E1-

P2.1 and EI-P2.2. The drafting is overly complex and difficult to apply in practice. Can Counsel for the Council and Mr Willis (in consultation with planning witnesses and legal counsel for The Telcos, PrimePort Limited, Transpower, Opuha Water and the Director General of Conservation), please review the drafting of the provision with the view to simplifying, and possibly separating out the various parts into separate policies for clarity.

Definitions

[9] The Panel requests that Counsel for the Council please confirm when filing the final reply version of provisions that all definitions that have been amended have incorporated any changes recommended in the final replies from all s42A authors, and that any drafting inconsistencies have been resolved between those authors and the necessary changes have been made. When doing so please also confirm that all changes recommended to definitions are either, within scope of the submissions, or are subject to RMA, Schedule 1 cl 10(2)(b) and 16(2).

Dated this 24th day of July 2025.

A handwritten signature in dark ink, appearing to read 'C E Robinson', written over a horizontal line.

C E ROBINSON - CHAIR ON BEHALF OF THE HEARINGS PANEL