WAIMAKARIRI DISTRICT PLAN REVIEW
MEMO TO HEARING PANEL

FILE NO AND TRIM NO:	DDS 06-10-02-01 / 230831134940
DATE:	1 September 2023
MEMO TO:	PDP Hearing Commissioners
FROM:	Stream 5 s42A Report Authors
SUBJECT:	Next steps following Stream 5 reports.

Introduction

1. At the conclusion of Hearing Stream 5, the hearings panel requested that Council staff prepare a brief memo outlining proposed next steps following evidence heard at the hearing and an understanding that further expert conferencing on a number of matters would be beneficial. The purpose of this memorandum is to outline the direction and process for expert conferencing.

2. The following table outlines the questions, topics, submitters, types of conferencing required, and indicative timeframe for conferencing to occur.

3. As several the questions will likely involve sequential expert conferencing across a number of parties, Council officers have proposed a final date for the s42A officers' rights of reply that will incorporate a final version of provisions as a result of conferencing, noting areas of agreement or disagreement (likely through a joint statement resulting from conferencing).

4. The approach of identifying an end date rather than an exact timetable for conferencing to occur also reflects that initial discussions on the availability of experts is still occurring with a number of the parties identified as potential parties to the conferencing.

5. The table below also identifies the Council officers view on the parties that should be involved in conferencing and has been prepared in consideration of other submitters that may have submitted on the provisions subject to conferencing and have prepared expert evidence in relation to the matters covered. The s42A officers consider it appropriate that leave is granted for any party that considers that they have been missed from the table identified to make this known through the hearing administrator. Officers also consider that it would be helpful if any additional party that does not wish to participate in conferencing could also signal this.

6. It is noted that the list of questions referenced in the table will not be an exhaustive list of matters that may be covered in the right of reply and has been prepared in advance of additional questions from the Hearing Panel following Hearing Stream 5. The authors note that there is an ongoing need for consideration of integration between the chapters, particularly with respect to energy and infrastructure.

7. The s42A officers also note the additional information provided by Kiwirail in respect of the vibration "alert layer", details of train movements and freight volumes and examples of recently operative district plans in relation to noise and vibration controls, provided in the memorandum of Counsel dated 30 August 2023.

S42A Report Authors for Stream 5

Rule Reference/Issue	Affected Chapters	S42 Officers view of the specific questions to be discussed and that will inform the Rights of Reply	S42 officers view of the submitters / experts that may be involved	S42 officers view as to whether Expert conferencing is required	Is Planning conferencing required?	Council officers proposed final Right of Reply timeframe	Lead Agency/Planner for co-ordinating conferencing
NOISE-R16, and associated 'noise sensitive activity' definition and matters of discretion	Noise	Setback vs modelled contours. If a setback approach is used, then what is the appropriate measurement location and distance (100m vs 80m). If measurement location is to property boundaries, then does this change the setback requested? Inclusion of fixed sound insulation approach. Further discussions on Ventilation and vibration requirements as methods to manage reverse sensitivity issues.	Waka Kotahi/KiwiRail (Dr Stephen Chiles, Catherine Heppelthwaite, Stuart Pearson) Kainga Ora (Jon Styles, Lance Jimmieson, Matthew Lindenberg)	Yes	Yes	30 November 2023	Waimakariri District Council (Jessica Manhire)

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		The use of 2dB or 3dB as a perception threshold or trigger? The applicability of the rule framework in relation to designated state highways. Should the rule be expanded to include all noise sensitive activities? Is the definition of 'noise sensitive activity' definition Are the wording of matters of discretion appropriate?					
North Canterbury Clay Target Association	Noise	Does the noise contour proposed in the submission seek to extend the operation of the	North Canterbury Clay Target Association (Hayden Porritt)	No, however further consideration of the background to the noise	Potentially	30 November 2023	Waimakariri District Council (Jessica Manhire)

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		activities beyond the certificate of compliance or resource consent?		contour (and its applicability to the current operation) may require further noise evidence to be considered			
McAlpines	Noise	Further consideration of the evidence provided by McAlpines	McAlpines (William Reeve, Tim Walsh)	Potential conferencing with McAlpines	Potential conferencing with McAlpines	30 November 2023	Waimakariri District Council (Jessica Manhire)
	Noise	Can the rules sought by NZ Defence Force be simplified?	NZ Defence Force	Yes	No	30 November 2023	Waimakariri District Council (Jessica Manhire)
SIGN-R7 Off-site signs	Signs	Do you consider such a restrictive approach for off-site signs is justified relative to the approach for on-site signs (both of which could be digital signs)?	Waka Kotahi, Ravenswood Developments Limited Go Media Ltd, Clampett Investments Limited Rolleston Industrial Developments Waimakariri District Council (Shane Binder)	Yes – in relation to potential traffic impacts	Potentially, depending on consideration of whether an approach is supported.	27th October 2023	Waimakariri District Council (Shelley Milosavljevic)

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EI – rule how to apply the rule and associated consequential amendments	EI, EW, NFL, ECO	<u>Planners</u> How can the proposed rule 'How to interpret and apply the rules' be amended to provide better integration between the EI chapter and the other chapters in the PDP? In addition, what consequential changes are required to rule, standards and matters of discretion in the EI chapter and other chapters?	The telecommunications companies (Chris Horne) Transpower (Ainsley McLeod) MainPower (Melanie Foote) WDC (Andrew Maclennan, Peter Wilson, Shelley Milosavljevic)	No	Yes	30 November 2023	Andrew MacLennan
EI-R51, EI-R52, EI-R52A, EI-R54, EI-R55, EI-R56	EI	<u>Planners</u> How should the NZCEP be used in the EI chapter? Should it form part of the permitted standard, or should it be referred to within an advice note?	Transpower (Ainsley McLeod) MainPower (Melanie Foote) Federated Farmers (Lionel Hume) Kāinga Ora (Clare Dale) WDC (Andrew Maclennan)	No	Yes	30 November 2023	Andrew Maclennan

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TRAN-R6, TABLE TRAN-7, TRAN-MD6 (Road vs accessway)	TRAN	<u>Engineers</u> What should the accessway width be within TABLE TRAN-7? When should an accessway be required to build to a road standard? What matters of discretions should be considered when applicants seek resource consent to breach TRAN-R6?	Kāinga Ora (Lisa Marie Williams) WDC (Shane Binder)	Yes	No	30 November 2023	Shane Binder / Andrew Maclennan
Heritage matters	HH	N/A	N/A	N/A	N/A	30 November 2023	Bryony Steven
Tree matters	TREE	N/A	N/A	N/A	N/A	30 November 2023	Bryony Steven
Walkway and cycleway setbacks	CE	Should setbacks apply to walkways and cycleways adjacent to natural character areas	Forest and Bird	No	Yes	30 November 2023	Peter Wilson

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The treatment of energy and infrastructure activities within the coastal environment	CE/EI	Does CE-P7 provide appropriate direction to enable energy and infrastructure activities within the coastal environment overlay or is more required?	Transpower	No	Yes (combined with EI integration topics)	30 November 2023	Peter Wilson
Underground tanks within natural hazard overlays	Standard 31.16.1.3	The need for additional standards for underground tanks	Fuel companies	Yes	No	30 November 2023	Jessica Manhire