

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT RANGIORA / WAIMAKARIRI**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI RANGIORA / WAIMAKARIRI**

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of the hearing of submissions and further submissions on the Proposed Waimakariri District Plan
	and
	of the hearing of submissions and further submissions on Variation 1 to the Proposed Waimakariri District Plan

**MEMORANDUM OF COUNSEL FOR KĀINGA ORA – HOMES AND
COMMUNITIES**

16 JUNE 2023

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MEMORANDUM OF COUNSEL FOR KĀINGA ORA – HOMES AND COMMUNITIES

May it please the Commissioners:

1. This memorandum is filed by Kāinga Ora – Homes and Communities (“**Kāinga Ora**”) in response to Minute #4 of the Independent Hearing Panel (“**IHP**”) hearing submissions on the Proposed Waimakariri District Plan (“**PDP**”) and on Variation 1 (“**Variation 1**”) to the PDP.

Memorandum by Momentum Limited

2. Kāinga Ora notes the request by Momentum Limited to deal with issues relating to the Kaiapoi growth issue, including the Airport Noise Contours, in a consolidated hearing.
3. Kāinga Ora opposes the proposed removal of Airport Noise-related issues from the Noise, Subdivision and other relevant chapters in which it is to be considered. The proposal would increase the complexity, time, cost and effort of what is already a complex undertaking, separating out the provisions that will follow the ordinary Schedule 1 process through the PDP, and those in Variation 1 which will follow the bespoke IPI process introduced through the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
4. There is a close relationship between the Airport Noise Contour and the other chapters in which it currently applies, and in the way that it affects the urban environment. Separating out the Airport Noise Contour and considering it in isolation from those other chapters risks diluting an integrated approach to the management of noise effects and how they relate to the urban environment. Counsel submit that these issues should be considered holistically with the other relevant matters in the respective chapters.

Separation of provisions into PDP and IPI processes

5. In addition, counsel consider that it would be helpful if, in future hearings, there could be a clear indication at the outset (whether in the notice of hearing; section 42A report; or otherwise) as to whether a

particular hearing stream is addressing the PDP or the IPI (or both), and if the IPI or both, what qualifying matters are said to apply to the relevant provisions.

6. Counsel submit that this would assist with the effective and efficient hearing of submissions in a timely and cost-effective manner; while providing clarity in relation to scope and rights which flow from participation in any hearings.
7. Counsel seek a direction that the Council provide details regarding each hearing stream in accordance with paragraph [6] above.

Dated 16 June 2023

A handwritten signature in blue ink, appearing to read 'Bal Matheson', with a long horizontal flourish extending to the right.

Bal Matheson | Aidan Cameron
Counsel for Kāinga Ora