

**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

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**Minute 24**

**HEARING E – PANEL REQUEST FOR INFORMATION AND CLARIFICATION FROM  
S42A AUTHORS AND SUBMITTERS**

**DATED 3 March 2025**

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**INTRODUCTION**

[1] Hearing stream E - Infrastructure, Subdivision, and Cultural Values took place on 10-12 February 2025. During, and following the conclusion of the hearing the Hearing Panel<sup>1</sup> indicated to participants that they required further information and clarification on certain matters.

[2] The purpose of this Minute is to:

- (a) Confirm our request for and timing of requests for clarification, expert conferencing, and an interim reply from Council s42A Report Authors; and
- (b) Record requests made of submitters during Hearing E and record responses received to date.

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<sup>1</sup> 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.

## **SECTION 42A REPORT AUTHOR INTERIM REPLIES, CONFERENCING, AND QUESTIONS OF CLARIFICATION**

[3] The Council provided four reports prepared under s42A of the RMA (s42A Report) to provide the Panel and submitters with an overview of the issues in Hearing E and to provide recommendations to the Panel as to whether various submissions and further submissions should be accepted or rejected in whole or in part.

[4] We received the following reports:

- (a) Section 42A Report: Energy and Infrastructure, Stormwater and Transport, Report on submissions and further submissions, Andrew Willis, 11 December 2024;
- (b) Section 42A Report: Subdivision and Development Areas, Report on submissions and further submissions, Nick Boyes, 11 December 2024;
- (c) Section 42A Report: Sites and Areas of Significance to Māori and Māori Purpose Zone, Report on submissions and further submissions, Liz White, 9 December 2024; and
- (d) Section 42A Report: Historic Heritage and Notable Trees, Report on submissions and further submissions, Andrew Maclennan, 10 December 2024.

[5] Prior to the hearing the s42A Report authors each provided a summary statement, which included updates following the receipt of submitter evidence.<sup>2</sup> The summary statements identified matters that they considered to be resolved with submitters and those issues which remained outstanding, with the authors having reserved their position until after hearing evidence of submitters and Panel questions. As per the interim reply process<sup>3</sup> each s42A Report author will record any changes to their recommendations as part of their interim reply.

[6] We direct that s42A Report authors provide their interim reply no later than **3pm on Thursday 17 April 2025**.

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<sup>2</sup> Andrew Willis – Hearing E - s42A summary statement, Energy and Infrastructure, Transport and Stormwater chapters, 4 February 2025; Nick Boyes – Hearing E – s42A summary statement, Subdivision and Development Area Chapters, 4 February 2025; Liz White – Hearing E - s42A summary statement, Sites and Areas of Significance to Māori and Māori Purpose Zone, 4 February 2025; and Andrew Maclennan - s42A summary statement – Hearing E, Historic Heritage and Notable Trees, 4 February 2025.

<sup>3</sup> Minute 14, Paragraphs 6-7.

[7] The Panel requests Ms Vella to provide a list of who Council considers should attend stormwater conferencing by **12 March 2025**. The Panel will then issue directions on stormwater expert conferencing.

[8] The Panel also requests that further discussion occurs between the relevant s42A Report author and submitters' expert witnesses or representatives, as detailed below, to see if further common ground can be reached and recorded in the interim replies.

<b>Submitter</b>	<b>Submitter expert/ Legal Counsel</b>	<b>S42A officer</b>	<b>Directions</b>
Rangitata Diversion Race Management Limited (RDRML) (234)	Mr Lipinski	Ms White	Review the gap analysis table prepared by Ms White in consultation with counsel for RDRML for Hearing D, and provide a similar analysis for SASM regarding any gaps, and particularly whether the CLWP frameworks enable consideration of cultural values that are protected in the Plan.
PrimePort Timaru Limited (175), Timaru District Holdings Limited (186), Transpower (159), and Director General of Conservation (166)	Ms Seaton for Primeport and TDHL, Ms McLeod for Transpower, Ms Williams for Dir.General of Conservation.	Andrew Willis	Consider the use of the 'Effects Management Hierarchy' approach in EI-P2.  Provide further clarity on the application of the effects management hierarchy approach in the context of the EI policies, particularly when considered against the recommendations of Ms White in relation to submissions of the Dir

			<p>General Conservation the NPS-IB in Hearing D. Is it appropriate to apply the effects management hierarchy, which is a method utilised specifically in the NPS-FM and NPS-IB to the EI provisions? If so, why?</p> <p>In consultation with submitter planning experts, revisit the drafting of EI-P2 and produce a s32AA analysis to support any agreed drafting outcome.</p>
Enviro NZ	Ms Rosser	Mr Willis	<p>Reconsider how and where the Redruth facility is most appropriately provided for in the District Plan – i.e. as Regionally Significant Infrastructure (RSI) in the EI Chapter or within the zone with or without a precinct, given the Panel’s indication that RSI does not meet the RMA definition of ‘infrastructure’, or the definition of RSI in the CRPS. Mr Willis and Ms Rosser to provide alternative drafting of provisions that could apply within the zone, with or</p>

			without a precinct for the Panel's consideration. Include a comparative s32AA evaluation for EI, Zone and Zone with precinct.
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**Questions of clarification for s42A Report authors to be addressed in interim reply**

[9] For Mr Willis:

- (a) Regarding the recommended definition of 'lifeline utilities', it is not clear that the recommended wording achieves the intent of a lifeline utility because as defined it refers to the utility itself, not an entity that operates or delivers a service. Please reevaluate the recommended wording.
- (b) Regarding the definition of 'maintenance', consistent with the drafting approach for definitions, should the words 'or replacement where this involves upgrading', be ahead of the matters not included?
- (c) EI-O2 as recommended - are there missing words at the end of the first sentence? and no practical alternative locations (...are available?).
- (d) Provide s32AA analysis for the following:
  - (i) A permitted, controlled or discretionary activity for renewable electricity generation on roofs in the General Industrial Zone;
  - (ii) Emissions reduction in EI-O1, and respond to the concerns raised by PrimePort Timaru Ltd and Timaru District Holdings Ltd that the objective could not be met for some activities, for example fuel tank storage in the Port Zone.
- (e) Regarding TRAN-S1, planting of indigenous amenity vegetation and the term 'encourage', how is this achieved if the policy is struck out? What non-regulatory

methods do Council use to encourage planting of indigenous amenity vegetation?  
To what extent does Council encourage or provide information to applicants?

- (f) Integration with other zones – Your recommended amendments include amending the EI Chapter Introduction so that the EI Policies and Objectives take precedence over any Zone Chapter. Please consider the evidence of Te Rūnanga o Ngāi and provide an updated recommendation. Please respond to Ms Pull's evidence that (1) the Part 1 General Approach already provides direction in the event of tension between the EI Chapter and other Chapters/Zones and (2) the National Planning Standards require an assessment of whether the EI Chapter provisions are suitable for the purpose of a Special Purpose Zone.
- (g) In her Summary Statement, Ms White updated her recommendations to add matters of control or discretion to those activities identified by Ms Pull, with amended wording. Given that all relate to the EI and Stormwater Chapters, please advise whether you would recommend accepting or not the matters of control or discretion for EI-R22, EI-R26, EI-R40 and SW-R6.

[10] For Mr Boyes:

- (a) The CRPS requires the Rural Lifestyle Zone (RLZ) to be attached to urban environments. Where does the RLZ adjoin and where does it not adjoin the urban environment in Timaru?
- (b) Is the recommended term 'associational' (in response to a submission from Te Rūnanga o Ngāi Tahu) a term that is commonly understood from a plan user perspective? Is it sufficiently clear and defined? Is there a clearer alternative word?
- (c) In consultation with Ms Vella, whether amendments can be made under RMA, Sch 1, cl10 (consequential amendment) to amend SUB-01(8) to align with changes made to SD Objectives and SUB-O3 and SUB-P5 to ensure that provisions consistently refer to all forms of primary productive, not only intensive.
- (d) Please address the following grammatical or spelling errors:
  - (i) SUB-O1 – are there missing 'and' conjunctives between clauses?

- (ii) SUB-O1(3) – is there a typo ‘enhances’ rather than ‘enhance’?
- (iii) SUB-O4 (1) – should there be a possessive apostrophe included for ‘area’s’?
- (e) SUB-P13 – in response to submissions you state that whether a development complies is not normally included in policy, as compliance is a matter for rules. Is this consistent with the drafting of other provisions, for example SUB-P12 which has a focus on compliance? There may also be other instances where compliance is included at the policy level. Please ensure consistency across the Plan.
- (f) Regarding DEV1-S1 and DEV1-S2 and the phrase ‘reviewed and signed off’, does this provide sufficient certainty? Does this imply a peer review process and/or an approval/certification process? What is intended in this regard? Is there an alternative way to express this?

[11] For Ms White:

- (a) To assist the Panel in understanding how the SASM rules relate to the other provisions in the Plan to collectively regulate activities within SASM, and to determine what is the most appropriate, effective and efficient regulatory tool, please provide a comparative table that identifies and compares the SASM rules (both as notified and as recommended) in relation to:
  - (i) All other relevant zone rules in the Plan;
  - (ii) All other relevant overlay rules in the Plan; and
  - (iii) All other relevant district-wide rules in the Plan.
- (b) Provide a table that outlines the Canterbury Land and Water Plan (CLWP) rules that apply to SASM. Identify overlaps between the notified provisions, and your recommended changes to the PDP and the CLWP.
- (c) In relation to (a) and (b) above, identify any gaps that may exist in terms of activities that should be managed within SASM.
- (d) In relation to Appendices 5A and 5B of the s42A Report:

- (i) Outline the context in which these were prepared. Specifically, were they prepared as part of an informed Plan Change 7 to the CLWP, and if so, how were they considered in the decision?
  - (ii) Please provide an explanation of how Appendices 5A and 5B were used to inform your recommendations. Specifically, how you applied them in the context of the Proposed Timaru District Plan, and what parts of these reports did you rely on to support your recommendations. What particular parts of Appendices 5A and 5B are you drawing on with respect to your recommendations on how SASM-8 and SASM-9 are managed, including your recommendation to reduce the buffer from 300m to 250m from a rock art site. It would also be helpful to understand what informed Council's decision to notify the plan with a 300m buffer.
- (e) Wāhi Tapu, Wai Tapu, Wāhi Toaka, Wai Toaka and Wāhi Tupuna are defined and explained in different places across the Plan including the Glossary, SASM Chapter Introduction, SASM Schedule and Mana Whenua Chapter. There does not appear to be consistent language to make it easy for plan users to understand the difference well. Please explain and consider whether amendments are recommended for consistency.
- (f) When using the EPlan search function, only words with correct use of macrons in Māori words are searchable. The word without the macron is not searchable. This may create a barrier for plan users to fully understand the term, especially given our question in 12(e) above.
- (g) Consider if your recommendations in relation to the application of rules to SASM located in the riverbed have changed in light of your interim reply recommendations relating to this in the overlays considered in Hearing D.
- (h) Within SASM-O2 and throughout the Plan, reconsider the use of possessive apostrophe – e.g. Kāti Huirapa's; and provide an update on the review of the use of Te Reo in the Plan.
- (i) Are the terms 'customary use' and 'cultural purposes' needed in SASM-P4 and SASM-O2 or are these activities implicit in 'access and use'. (Noting that the phrase is to be deleted in SASM P5). If they are to be included, do they require



definition so that it is clear what component activities are encapsulated in SASM-O2 and SASM-P4?

- (j) Amendment to APP4 – the header on the form still contains the wording that has been recommended to be deleted from the title of the ADP. Does this need to be corrected to achieve consistency?
- (k) Regarding paragraph 8.13.14 of the s42A Report - is it appropriate to include an exception into a definition rather than the provisions that use the definition? Is the term 'but' required in the last sentence of the recommended change to the definition? Note also that the e-definition of 'temporary event' is incorrectly spelt. Does there need to be a definition of 'temporary cultural event'?
- (l) The s42A Report has not addressed Te Rūnanga o Ngāi Tahu submission point 185.54 regarding DWP-R5 within the Māori Purpose Zone. Please provide an assessment and recommendation.
- (m) Te Rūnanga o Ngāi Tahu sought the addition of 'forest land' to Rule SASM-R8. Has this been addressed in the s42A summary report in 9(h)?
- (n) Regarding the recommendation of the reduction in size for potable water storage in MPZ-S4 – was a technical review from relevant Council officers provided on this matter? Why is a reduction appropriate in this zone compared to other zones? Provide more explanation of the reasons for why this is accepted.
- (o) Advise whether you agree and why with the changes sought to SASM-O1 in Ms Pull's evidence regarding the inclusion of rakatiritaka. Please have particular regard to Part 1 Overarching matters MW 2.1.5 Kaitiakitaka and MW 2.1.6 Rakatirataka.
- (p) We have several questions related to SASM-R1. The Panel understands that SASM-R1(3) relates to earthworks in the Wāhi Tapu overlay and SASM-R1(1) relates to Wāhi Tupuna (outside ONL or VAL), Wāhi Toaka, Wai Toaka (outside a riparian margin) and Wai Tapu (outside a riparian margin) where they are also in a GRZ or RLZ. SASM-R1(3) PER2 restricts the permitted earthworks rule for SASM-1a (Te Wharetawhiti (Pig Hunting Creek), SASM-4a (Puhurau/Beach Road) and SASM-4c (Waiateruati) which we understood the intent was to make

earthworks more permissive in the Wāhi Tapu overlay within existing urban areas. There are eight Wāhi Tapu overlays identified in schedule 6 of the Plan, three being part of PER2.

- (i) Is SASM-R1(3) more permissive in the Wāhi Tapu overlay than SASM-R1(1) and if so, what are the reasons and is this appropriate in the context of s32 of the Act?
  - (ii) Of the remaining 5 sites that are not part of PER-2, are any outside of the existing urban area and therefore need to be included in the PER-2 or does a different rule framework apply? In particular consider SASM-8 and SASM-9.
  - (iii) Of the remaining 5 sites that are not part of PER-2, do the PER earthworks rules align with the Iwi Management Plan and if not, what are the conflicts or cultural values that would not be protected?
- (q) Liaise with Mr Willis in relation to which rules in the Energy and Infrastructure and Transport Chapters would be appropriate to include matters of discretion relating to effects on cultural values as requested by Te Rūnanga o Ngāi Tahu, and your reasons. If your view is that it is not appropriate to do so, please provide reasons.
- (r) The Panel notes that Ms Pull offered her assistance to review the whole of the Plan to identify other rules where it may be appropriate to include matters of discretion, relating to effects on cultural values. We have directed Ms Pull to undertake this exercise and provide her analysis to Council for review. The Council can respond to that review as part of the final reply, including consideration of any scope issues that might arise.

[12] For Mr Henry

- (a) During the Panel's site visits to properties with proposed SASM-8 and SASM-9, the Panel observed that there are in a number of cases of existing woodlots/plantation forestry above or adjacent to limestone outcrops where examples of Māori rock art are known to exist. Has there been any geological or hydrological analysis of the impact of woodlots/plantation forestry on limestone, and/or the preservation of Māori rock art?

[13] With reference to the Council's memorandum dated 14 June 2024 in response to the Panel's Minute 7, the Panel would like some assistance:

- (a) To view Kā Huru Manu mapping for SASMs.
- (b) To better understand that information, the Panel wishes to hear further from Mr Henry and where necessary representatives of Te Rūnanga o Arowhenua and/or Te Rūnanga o Ngāi Tahu to further explain the information contained in Kā Huru Manu for SASM identified in the PDP, and where necessary, information that may be recorded in the Arowhenua Heritage Viewer which is not publicly available.
- (c) The Panel confirms its understanding that Te Rūnanga o Arowhenua has agreed to allow the Panel to view the Arowhenua Heritage Viewer subject to the conditions that:
  - 1. the korero around the Arowhenua Heritage Viewer is public excluded with just the Hearing Panel present;
  - 2. no information provided to the Hearings Panel on specific information contained on the Arowhenua viewer is made public;
  - 3. Tewera King as Ūpoko for Arowhenua and Takerei Norton or another person from his team at Te Rūnanga o Ngāi Tahu provide the narrative alongside the maps;
  - 4. the Panel understand that they will not have access to the Arowhenua Heritage View or to printed copies of what is provided on the maps.
- (d) In accordance with s42 of the RMA, the Panel is authorised to, on its own motion or on the application of any party to proceedings, to make orders as follows:
  - 42 Protection of sensitive information
    - (1) A local authority may, on its own motion or on the application of any party to any proceedings or class of proceedings, make an order described in subsection (2) where it is satisfied that the order is necessary—
      - (a) to avoid serious offence to tikanga Maori or to avoid the disclosure of the location of waahi tapu; ...
      - (b) ...

and, in the circumstances of the particular case, the importance of avoiding such offence, disclosure, or prejudice outweighs the public interest in making that information available.

(2) A local authority may make an order for the purpose of subsection (1)—

(a) that the whole or part of any hearing or class of hearing at which the information is likely to be referred to, shall be held with the public excluded (which order shall, for the purposes of subsections (3) to (5) of section 48 of the Local Government Official Information and Meetings Act 1987, be deemed to be a resolution passed under that section):

(b) prohibiting or restricting the publication or communication of any information supplied to it, or obtained by it, in the course of any proceedings, whether or not the information may be material to any proposal, application, or requirement.

(3) An order made under subsection (2)(b) in relation to—

(a) any matter described in subsection (1)(a) may be expressed to have effect from the commencement of any proceedings to which it relates and for an indefinite period or until such date as the local authority considers appropriate in the circumstances:

(b) ...

and upon the date that such order ceases to have effect, the provisions of the Local Government Official Information and Meetings Act 1987 shall apply accordingly in respect of any information that was the subject of any such order.

(4) Any party to any proceedings or class of proceedings before a local authority may apply to the Environment Court for an order under section 279(3)(a) cancelling or varying any order made by the local authority under this section.

(5) Where, on the application of any party to any proceedings or class of proceedings, a local authority has declined to make an order described in subsection (2), that party may apply to the Environment Court for an order under section 279(3)(b).

(6) In this section—

(a) information includes any document or evidence:

(b) local authority includes—

(i) a board of inquiry appointed under section 149J:

(ia) a local board:

(ii) a community board:

(iii) a public body:

(iv) a special tribunal:

(v) a person given authority to conduct hearings under any of sections 33, 34, 34A, 117, and 202.

- (e) The Panel is satisfied that such an order is necessary in accordance with s42(1)(a) because the importance of avoiding serious offence to tikanga Māori or to avoid the disclosure of the location of Wāhi Tapu, outweighs the public interest in making that information available. Information provided orally or in writing to the Panel during the public excluded reconvened hearing of the SASM Chapter is prohibited from publication or communication whether or not the information may be material to any proposal, application, or requirement. The Panel is satisfied that the order should continue for an indefinite period.
  
- (f) Accordingly, the Panel directs that the hearing of the SASM Chapter is reconvened for the purpose of hearing further evidence from Mr Henry and appropriate representatives of Arowhenua and/or Te Rūnanga o Ngāi Tahu in relation to the mapping of SASM on the following basis:
  - (i) The reconvened hearing of the SASM Chapter in which the Panel views the Arowhenua Heritage Viewer, and or asks questions in relation to information shown on viewer or in Kā Huru Manu mapping is conducted public excluded; Te Rūnanga o Arowhenua and Te Rūnanga o Ngāi Tahu may appoint representatives to give oral evidence to the Panel in relation information relating to SASMs contained in the Arowhenua Heritage Viewer;
  - (ii) No information contained on the Arowhenua Heritage Viewer obtained by the Panel during that hearing is to be published or communicated to any person not present at the hearing;
  - (iii) The Panel does not seek access to the Arowhenua Heritage Viewer or to print information from the Arowhenua Heritage Viewer.

[14] The hearings administrator will contact Ms Vella, to arrange a public excluded hearing session for that purpose. The Panel can indicate that it's preference for the reconvened public excluded hearing will be during Hearing H currently scheduled for September 2025.

[15] For Mr Hakkaart

- (a) The Panel requests information regarding the TDC resource consent charging policy under s36 of the RMA, in particular its policy with regard to Cultural Impact Assessments.

[16] For Mr MacLennan:

- (a) Please review and confirm that where in the s42A report you are stating your own opinions you refer to 'my' or 'I' and, and where you are referring to Ms de Ronde or Dr McEwen's opinions you do not.
- (b) HH-P7 and HH-P15 both refer to EI-P2. HH-P15 uses the term 'take into account' in referring back to EI-P2, while HH-P7 does not. Is the distinction deliberate? And if so why?
- (c) Regarding the request from Connexa Limited, Spark New Zealand Trading Limited, Chorus New Zealand Limited, One NZ (Telcos) (176/208/209/210) seeking a controlled activity status for customer connections – what are the key planning issues for a Controlled rather than Restricted Discretionary? The Panel notes, Mr MacLennan may need to seek advice from Dr McEwen.
- (d) In relation to the evidence of Mr Anderson regarding customer connections under TREE-R3, provide a comparative analysis of some examples of how customer connections in the root protection area of notable trees are managed in other district plans, including Dunedin City.
- (e) Regarding 'Heritage Setting' and in consultation with Dr McEwan,
  - (i) is the 'Heritage item' inclusive of what exists within the 'heritage setting'? E.g. whether the additional buildings that sit outside the setting are part of the listed item or are they simply within the building setting? How have 'heritage settings' been identified – is this curtilage, title boundary, or some other method?
  - (ii) 'Heritage item extent' is a term used on the planning maps and in the 'sensitive activities' definition but only 'heritage setting' is defined and used in the Historic Heritage Chapter. Is this intentional or is it an error that requires remedying?
  - (iii) The Panel note there is a lack of clarity in relation to the above matters, however a specific example was the South Canterbury Club site, where the description of the heritage item in the Schedule, does not appear to include

all buildings on the site. If the two buildings which are now recommended to only sit partly within the setting shown on the planning map, are not of themselves 'heritage items' what rule applies to the modification of those buildings. Can they be demolished? If they are replaced by a new building, which is partly within the setting depicted on the planning map, what rule applies?

- (f) Within the s42A Report:
- (i) At Paragraph 6.1.20, please confirm if there is a missing word in last sentence. Is this 'protect'?
  - (ii) Paragraphs 6.14.7 and 6.14.8 are repeats of similar content. Please confirm which paragraph is the correct one.
  - (iii) At paragraph 6.14.12 with regard to HH-R3, the definition of 'sign' as notified includes signs that have aspects of public safety in their purpose. Does this create ambiguity in interpretation of the rule framework when considered against the recommended addition of 'official sign'?
  - (iv) Paragraph 6.24.32 – please confirm that St Peter's Anglican Church in Temuka is scheduled as HH1-211 rather than HH1-210?
  - (v) Para 6.26.11 s42A – please confirm if HH1-26 should be struck out in SCHED3-4 in line with your recommendation?
  - (vi) Regarding paragraph 7.4.3, please confirm if the reference to TREES-P1 should be TREES-P2?
  - (vii) Paragraph 7.8.4 relates to a submission from The Tree Council. It does not appear to be addressed in your analysis at paragraphs 7.8.5 - 7.8.6? Please address this.
- (g) The drafting of HH-R4(4) is inconsistent with Ms White's recommendations relating to APP4. Please advise if you agree with Ms White's recommended changes, and clarify the drafting of this provision.

- (h) Is the drafting inconsistency between HH-P6 'within and beyond' and HH-R8 'within and outside' deliberate? Does it matter?
- (i) HH-R10 and HH-R16 are included both in the Appendix 1 to the Heritage s42A and Appendix 1 to the Subdivision s42A. Please confirm if you agree to the recommended location of these rules in the Subdivision Chapter.

[17] Further we ask Counsel for the Council, Ms Vella, to file a memorandum by the same date, addressing:

- (a) Whether the March 2026 deadline for the decision on the Proposed Timaru District Plan includes any variation/s?
- (b) Whether the effect of plan provisions on property values is relevant to s32 of the RMA.
- (c) In consultation with Mr Willis and the other reporting officer, provide an analysis that sets out which chapters 'prevail' or 'take precedence', over others, and why, across the architecture of the whole Plan. E.g. whether the Energy and Infrastructure Chapter prevails over the Special Purpose Zones and Māori Purpose Zone. Does the Council intend that reference to provisions taking 'precedence' mean 'more important/ relevance or weight' or instead of? Provide examples of drafting solutions from other district plans, including the Waimakariri District Plan, and particularly as it applies to the Energy and Infrastructure Chapter and its relationship to zone chapters, and overlays.

**Questions of clarification for submitters**

[18] During the hearing we requested clarification or provided an opportunity for submitters to provide additional information or responses to panel questions. Where a submitter has yet to provide the requested information, we direct that the information is made available by 31 March 2025. We record these as follows:

<b>Submitter</b>	<b>Representative/ witness</b>	<b>Request from Panel</b>	<b>Response received</b>
Heritage New Zealand Pouhere Taonga (114)	Ms Baird	Provide a copy of the Accidental Discovery	14 February 2025



		<p>Protocols (ADP) agreed with Ms White.</p> <p>Provide examples of occasions where archaeological or wāhi tapu material has been accidentally discovered in a heavily modified area, particularly in rural areas or in coastal areas.</p> <p>How often do discoveries in heavily modified areas get reported.</p> <p>When an archaeological assessment has been prepared is it informed by cultural information or a cultural assessment.</p> <p>Can an ADP 'avoid' an adverse effect in relation to Policy EW-P3.</p>	
Telcos (176/208/209/210)	Mr Anderson	Provide a s32AA analysis for the proposed change to EI-O2 and associated rules.	28 February 2025
Rangitata Diversion Race Management Limited (234)	Mr Lipinski	<p>What procedures (if any) does RDRML have in place if archaeological materials are discovered during the maintenance, repair, or replacement of its rock weir?</p> <p>Has RDRML contemplated obtaining an archaeological authority for earthworks associated with the maintenance, repair, or replacement of its rock weir?</p>	19 February 2025

Westgarth, Chapman, Blackler et al (200, 269)	Ms Hamilton	Provide farm management plans, and information on the land use they relate to	Memorandum of Counsel with requested documentation, where available, provided on 26 February 2025.
	Mr Fraser	Provide a copy of relevant resource consents for the property	
Lisa Zwarts and Shaun Hunter (17)	Ms Zwarts	Provide a copy of the QEII covenant for the property	QEII covenant not received. Ms Zwarts provided to the hearing administrator other material not requested by the panel. This will not be received as evidence.
Te Rūnanga o Ngāi Tahu	Ms Pull	Identify any additional rules that you consider are appropriate (in terms of s32AA) to add a matter of discretion relating to effects on cultural values.	

Dated this 3<sup>rd</sup> day of March 2025



C E ROBINSON - CHAIR ON BEHALF OF THE HEARINGS PANEL