

Proposed Marlborough Environment Plan

Minute of the Hearing Panel

Minute 16

1. KiwiRail Holdings Limited (KiwiRail) has requested the Hearing Panel reconsider its decision that no adjournment was required because KiwiRail now has advice that computer modelling of wake induced wave effects can be modelled from ship passages at speeds in the range of 10 - 14 knots — which is not an activity prohibited by the provisions of the Marlborough Sounds Resource Management Plan (MSRMP).
2. The ability of a vessel to travel at those speeds has never been prohibited in terms of the MSRMP. KiwiRail, or any other party, has always been able to conduct trials at those speeds, and carry out modelling.
3. The fact that does not seem to have occurred is not viewed as any reason why the Panel should reconsider the request to grant the adjournment sought when the Hearing Panel has a heavy hearings and deliberation schedule ahead of it. That task has to be completed against a general duty in section 21 of the Resource Management Act 1991 of doing that '*as promptly as is reasonable in the circumstances*'.

Dated 19 April 2018

A handwritten signature in black ink, appearing to read 'T Hook', followed by a period.

Councillor Trevor Hook

Chair of the MEP Hearing Panel