

BEFORE THE SELWYN DISTRICT COUNCIL

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF Proposed Plan Change 66 at Maddisons
Road, Rolleston

MINUTE NO 3 OF COMMISSIONER DAVID CALDWELL
Dated 13 August 2021

1. At the conclusion of the hearing day on 10 August 2021, I discussed with Ms Appleyard potential timing for the filing of the written Reply.
2. Ms Appleyard summarised the matters she had noted for Reply, and asked whether there were any particular issues that I particularly wished to have addressed.
3. As discussed at the hearing, I am particularly interested in the relationship between the objectives and policies of the NPS-UD and Chapter 6 of the Canterbury Regional Policy Statement.
4. The issue arises in the context of a very directive policy statement which directs the location and growth of development and seeks to avoid urban development outside of the existing urban areas or the Greenfield Priority Areas.
5. I am conscious that a district plan must give effect to:
 - (a) *Any National Policy Statement; ... and*
 - (c) *Any Regional Policy Statement.*
6. While I am of course familiar with the hierarchy of the statutory documents, it is the directive nature of the Regional Policy Statement which makes this a potentially more complex issue, or at least one that needs to be properly considered.
7. There were helpful discussions on this issue during the hearing, but I consider that I would benefit from a more detailed analysis of the Applicant's position from Ms Appleyard.
8. The other issues for Ms Appleyard to address are reasonably clear on the evidence and submissions.
9. I direct that the written Reply be provided before 5.00pm on **Friday 20 August 2021**. If there are any difficulties with that date, then I am happy to consider an extension of time.

Site Visit

10. I intend to undertake a site visit, preferably on the morning of Tuesday 17 August 2021. I will need to be escorted when I am visiting the PC66 site. As discussed at the hearing, I am happy to be escorted by a representative of the Applicant, provided they have not given evidence.
11. I also asked Mr Thomas whether I would be able to go on to his property and he confirmed that I can. If it is acceptable to Mr Thomas, I am content to arrive at the site and let the occupants know that I am there. I do not anticipate that I will need to be escorted around the property but if so, again, my preference would be that that is someone other than Mr Thomas himself.

12. I anticipate that I will be able to see the Midland Port from both Jones Road and the PC66 site. If the Applicant, or LPC, consider there is any benefit in me going onto the site, I am happy to do so.
13. As discussed at the hearing, the site visit is not an opportunity for any party or participant to provide further evidence.
14. The responses to this Minute must be raised through Ms Tina Van Der Velde (Tina.vandervelde@selwyn.govt.nz).

A handwritten signature in blue ink, appearing to read 'D Caldwell', is written over a horizontal line.

David Caldwell

Hearing Commissioner

Dated: 13 August 2021