

**BEFORE THE SELWYN DISTRICT COUNCIL**

**IN THE MATTER OF** the Resource Management Act 1991

**AND**

**IN THE MATTER OF** Proposed Plan Change 69 being a request by Rolleston Industrial Developments Limited for rezoning of approximately 190 hectares of rural land to mainly residential land together with a small commercial zone, generally located on the south side of the Lincoln township, to the east and west of Springs Road, and to the north of Collins Road

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**MINUTE NO 2 OF COMMISSIONER DAVID CALDWELL  
ADDRESSING HEARING SCHEDULE  
Dated 17 November 2021**

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1. The hearing of PC69 is scheduled to commence at 9.00am on Monday 22 November 2021. It is set down for the week.
2. I have been provided with a draft Hearing Schedule which indicates that the Applicant's Counsel and witnesses will take approximately two and a half hearing days.
3. The submitters are scheduled to start at 2.00pm on Wednesday when I will hear from Christchurch City Council and Canterbury Regional Council's Counsel and experts, with the final submitter to be heard at approximately 12.20pm on Friday. The reporting officers will then follow.
4. In my Minute No 1 of 23 September 2021, I made directions in relation to the exchange of expert evidence and directed that all experts (including reporting officers) provide a summary of the key points of their evidence which is to be read at the hearing. As noted in that Minute, to be of benefit, the summary should focus on key assumptions, methodology, conclusions and reasons for those conclusions, and that it would be particularly helpful if any areas of disagreement can be identified.
5. That direction stands and applies to any expert evidence being called on behalf of submitters.
6. For those submitters who are not calling witnesses in support of their case, they will generally be allocated up to 15 minutes to speak to their submissions unless a longer time slot has been specifically requested.
7. I note that a number of the submitters have indicated that they do not anticipate requiring more than 10 minutes and conversely some have indicated that they require longer periods.
8. The original submissions and/or pre-circulated written evidence will be taken as read at the hearing. I do not require the original submissions to be read to me, nor do I require any other pre-circulated material to be read out loud at the hearing. For submitters who are speaking on their own account, they will be asked to highlight key points from their submission and/or pre-circulated evidence. I will then ask any questions that I may have.

#### **Joint Presentation**

9. I also note that a number of submitters have raised similar concerns, for example in relation to productive soils, and I would encourage those submitters to consider making a joint presentation at the hearing.

#### **Expert Conferencing**

10. I note that no directions have been sought in relation to expert conferencing. I am of course happy for expert witnesses to conference prior to, or if necessary during the week of the hearing, with the aim of preparing a joint witness statement.

11. While given the timeframes, that may be a reasonably informal process, as the experts will be aware, expert conferencing is primarily to enable witnesses to confer and attempt to reach agreement on issues in dispute, and to identify any issues on which they cannot reach agreement. The statement, as well as clearly identifying those issues, must provide a succinct statement of experts' reasoning in terms of both the issues agreed and those that are not. Of course witnesses who do engage in conferencing are subject to the Code of Conduct.

#### **Other matters**

12. Given the number of witnesses and submitters, I have considered whether I should direct longer hearing days or reduce break periods in an effort to ensure that the hearing can be completed within the allocated week.
13. I do not consider that a blanket extension of hearing days is appropriate at this time. I am flexible around finish times but longer hearing days are tiring for those involved, and I do not consider that they are generally beneficial.
14. Instead of the usual one hour for the lunch break, I consider that a 40 minute lunch break period is sufficient. I have considered whether a shorter break would be helpful but, given the location of the venue, and that the parties are likely to have to leave the site to get lunch, 40 minutes is appropriate. That will generally be taken at 1.00pm.
15. It is important that the hearing is conducted in an efficient manner while ensuring all participants have the opportunity to speak, and I appreciate the cooperation of all participants in ensuring this.
16. If there are any issues arising from this Minute, they may be raised, in writing, through Ms Robertson at [submissions@selwyn.govt.nz](mailto:submissions@selwyn.govt.nz).



**David Caldwell**

Hearing Commissioner

Dated: 17 November 2021