

BEFORE THE SELWYN DISTRICT COUNCIL

IN THE MATTER OF

Clause 21 of the First Schedule of the Resource Management Act 1991 (Plan Change 71) being a request by Four Stars Development Limited and Gould Developments Limited to rezone approximately 53 hectares of land in East Rolleston from Rural Inner Plains Zone to Living Z and Living Z Zone Deferred

MINUTE NO 1 OF COMMISSIONER DAVID CALDWELL
Dated 15 November 2021

1. The Selwyn District Council has, pursuant to s34A of the Resource Management Act 1991 (**RMA**), appointed me to hear and write recommendations on Proposed Plan Change 71 to the District Plan in relation to land in East Rolleston bounded by Levi Road, Lincoln Rolleston Road and Nobeline Drive.
2. The hearing has been set down for **Wednesday 9 February 2022** and **Thursday 10 February 2022** commencing at 9.00am, at a venue to be confirmed.
3. The purpose of this Minute is to address the pre-circulation of evidence prior to the hearing.

Pre-provision of Evidence

4. I consider that pre-provision of expert evidence will reduce the length of the hearing by reducing the need to have all evidence read. It also enables the focus to be on matters in contention and conflicting opinions.
5. It will also help me to better prepare for the hearing and will enable the reporting officer to consider the evidence of expert witnesses prior to the hearing and to seek further opinion from other Council staff or consultants if necessary.
6. For the above reasons, and pursuant to s41B of the RMA, it is directed that evidence be pre-provided in accordance with the following timetable (taking into account Waitangi Day observance on 7 February 2022):
 - (a) The Council must circulate the s42A Officers Report to all parties by no later than **Monday 17 January 2022**, being 15 full working days before the hearing;
 - (b) The Applicant must provide briefs of evidence to the Council in an electronic form by no later than **Monday 24 January 2022**, being 10 full working days before the hearing; and
 - (c) Any submitter who is intending to call expert evidence must provide briefs of evidence to the Council in an electronic form by no later than **Monday 31 January 2022**, being 5 full working days before the hearing.
7. Briefs of evidence are to be emailed to Emma Robertson at the following email address: submissions@selwyn.govt.nz.
8. Expert evidence is evidence prepared by independently qualified persons such as landscape architects, transportation experts, ecologists and planners.
9. Submitters who do not intend to call expert evidence do not have to comply with the timeframe specified in 6(c) and will be able to present their own evidence at the hearing.
10. I direct that all experts (including the reporting officers) provide a summary of the key points of their evidence which will be read at the hearing. To be of benefit, the summaries should

focus on key assumptions, methodology, conclusions and reasons for those conclusions. It would be particularly helpful if any areas of disagreement can be identified.

11. Legal submissions do not need to be pre-circulated and can be presented at the hearing.
12. I appreciate that directions for evidence exchange in January are not ideal but, given the hearing date, the only other realistic timetable would require evidence preparation and circulation prior to Christmas. If that is the parties' preference, I will consider an amended timetable. If the s42A report is completed prior to Christmas then I expect it to be made available to the Applicant and submitters as soon as it is.
13. If there are any issues arising from these directions, including in terms of the proposed dates, they may be raised, in writing, through Ms Robertson.

A handwritten signature in blue ink, reading "D Caldwell", is positioned above a horizontal line.

David Caldwell

Hearing Commissioner

Dated: 15 November 2021