

BEFORE THE SELWYN DISTRICT COUNCIL

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF Proposed Plan Change 73 being a request by Rolleston West Residential Ltd in relation to approximately 160 hectares of land generally on the western side of the Rolleston Township, to the west of Dunns Crossing Road and south of Main South Road (State Highway 1)

MINUTE NO 2 OF COMMISSIONER CALDWELL ADDRESSING HEARING
Dated 22 September 2021

1. This Minute addresses the hearing of this proposed plan change and responds to a Memorandum on behalf of the Applicant dated 21 September 2021.
2. The hearing has been set down to commence at 9.00am on Tuesday 28 September 2021 and Wednesday 29 September 2021 (and Thursday 30 September 2021 if required).
3. Parties should note that the hearing is to be held at the **Habgood Lounge, Lincoln Event Centre, 15 Meijer Drive, Lincoln**. This venue differs from that previously advised to parties by the Council on 19 August 2021.
4. The hearing will be operating under Level 2 Covid restrictions. This will involve the following:
 - Scanning by a QR code or signing in will be required;
 - Masks will be worn by all parties. I will consider any requests for those to be removed while speaking if any difficulties arise;
 - Hand sanitiser will be provided and is to be used;
 - There will be reduced room capacity which will be based on no more than 100 people and the required 2 metre distancing (whichever is the lesser);
 - Due to the capacity issues identified above, there will be a restricted public gallery to ensure that capacity is not exceeded, and that distancing can be achieved;
 - I anticipate that witnesses giving expert evidence will only be present in the room for matters relevant to their area of expertise. Counsel and the planning witnesses may be present throughout.
5. Anybody who is unwell or immune compromised should not attend and they should contact Ms Emma Robertson, the District Plan Administrator, to make other arrangements. Ms Robertson can be contacted by email at Emma.Robertson@selwyn.govt.nz.

AVL

6. The Applicant has noted that two of its expert witnesses, Mr Colegrave and Mr Akehurst, are based in Auckland and are still subject to travel restrictions. It requests that those experts appear by AVL and that such facilities are made available for the hearing. I consider it appropriate that those experts appear by way of AVL and direct that such facilities are made available.
7. I also note that the Applicant has requested that Mr Copeland, who is based in Wellington, also attends by AVL. I confirm that I am happy with that approach.

Urban design evidence

8. As identified in my Minute 1 of 19 August 2021, Mr Nicholson, the expert engaged by Council to provide urban design advice, is unable to attend on the hearing dates due to a prior commitment.
9. I raised the option of expert conferencing and other options for hearing from Mr Nicholson. I asked that the Applicant, and any submitter who intended calling urban design evidence, provide their views on those options by 5pm 25 August 2021. I received no response at that time.
10. The Applicant, in its Memorandum of 21 September 2021, has now advised that it considers it would be helpful to have the urban design witnesses conference and prepare a Joint Witness Statement prior to hearing.
11. The conferencing is scheduled to occur at 10.00am on Thursday 23 September 2021, with a Joint Witness Statement to be filed by Friday 24 September 2021.
12. Expert witness 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 the experts' reasoning in terms of both the issues agreed and those not agreed.

Submitters who wish to be heard

13. I have received the following evidence from Submitters:
 - (a) Mr Keith Tallentire on behalf of the Canterbury Regional Council and Christchurch City Council;
 - (b) Ms Sarah White on behalf of Waka Kotahi New Zealand Transport Authority;
 - (c) Mr Ivan Thomson on behalf of Gallina Nominees Limited and Heinz-Wattie Limited Pension Plan; and
 - (d) Mr Ivan Thomson on behalf of A Smith, D Boyd and J Blanchard.
14. I ask that all other submitters, that is those who have indicated that they wish to be heard, contact Ms Robertson to advise whether they still wish to be heard and, if so, to provide an indication of the likely time they will require and any times they are not available.

Submitter location

15. I also ask that the Applicant, as part of its opening legal submissions, provide a map or satellite photograph identifying the locations of the local submitters. It will be sufficient that those within a kilometre of the sites are identified.

16. If there are any issues relating to any of the matters which I have addressed in this Minute, they must be raised promptly through Ms Robertson for my consideration.

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

David Caldwell
Hearing Commissioner

Dated: 22 September 2021