

**PROPOSED PLAN CHANGE 79 TO THE OPERATIVE  
SELWYN DISTRICT PLAN**

**DIRECTIONS OF THE COMMISSIONER**

**MINUTE 1**

**INTRODUCTION**

[1] Pursuant to section 34(A)(1) of the Resource Management Act 1991 (RMA), Selwyn District Council has delegated to me as an Independent Commissioner the functions of hearing the submissions on Proposed Plan Change 79 to the Operative Selwyn District Plan.

[2] The following directions and requests relate to the hearing.

**HEARING ADMINISTRATOR**

[3] The Council has appointed a Hearings Administrator who is:

District Plan Administrator

[submissions@selwyn.govt.nz](mailto:submissions@selwyn.govt.nz)

03 347 2800

**HEARING DATES AND TIMES**

[4] Plan Change 79 is a Private Plan Change Request by Birchs Village Ltd which proposes changing the zone provisions for a 37hectare site located south of Prebbleton to enable its development for residential activities.

- The hearing has been set down for Tuesday 2<sup>nd</sup> May and Wednesday 3<sup>rd</sup> May with a reserve day, if required, on Thursday 4<sup>th</sup> May 2023.

[5] The hearing will be held in the Baylis Lounge at the Lincoln Events Centre, 15 Meijer Drive, Lincoln.

[6] The hearing will commence at 9am each day. The hearing will generally conclude at 5.00pm each day or as determined by the schedule.

[7] Breaks during the day will be as follows:

- |                 |                  |
|-----------------|------------------|
| ▪ Morning tea   | 10.30 to 10.45am |
| ▪ Lunch         | 12.30 to 1.30pm  |
| ▪ Afternoon tea | 3.00 to 3.15pm   |

[8] The Hearing Administrator will be in contact with submitters to arrange an order of appearance and an allocation of speaking time.

[9] At the start of the hearing there will be an opportunity for submitters to raise any procedural matters. Thereafter the order for each topic will be as follows:

- The Plan Change Proponent being Birchs Village Ltd.
- Submitters in support
- Submitters in opposition
- Council s42A report authors
- Proponent Reply.

[10] Individual submitters who are members of the public wishing to be heard (and who are not calling witnesses to support their case) will generally each be allocated **15 minutes** to speak to their submissions unless a longer time slot is specifically requested.

[11] Submitters raising the same or similar matters of concern are encouraged to group together and make joint presentations at the hearing.

#### **PRE-CIRCULATION OF MATERIAL**

[12] A section 42A report will be made available on or before **Monday 10<sup>th</sup> April 2023**, allowing the proponent and submitters to have regard to its contents when preparing their evidence. These reports will assess the proposed plan change and submissions and make recommendations to the hearing.

[13] Pursuant to section 41B, Birchs Village Ltd is directed to provide its written statements of evidence to the Hearings Administrator no later than 4.00 pm on **Monday 17<sup>th</sup> April 2023**.

[14] Submitters who intend to call expert evidence in support of their submissions are directed to provide a written statement of that evidence to the Hearings Administrator no later than 4.00pm on **Monday 24<sup>th</sup> April 2023**.

[15] It is also requested that any legal submissions on behalf of the proponent, submitters and Council are provided to the Hearings Administrator by 4.00 pm on **Thursday 27<sup>th</sup> April 2023**.

[16] All pre-circulated material will be taken as read at the hearing. All experts are, therefore, directed to highlight key points of their evidence and areas of disagreement with other experts at the hearing.

[17] If Submitters intend to provide written evidence themselves, or have non-expert people appear on their behalf, then they are directed to bring with them to the hearing 20 copies of that material or provide it to the Hearings Administrator no later than 4.00pm on **Monday 1<sup>st</sup> May 2023**.

[18] Should any submitter wish to speak in Te Reo, utilise Sign Language, or utilise visual aids (PowerPoint, etc) they are requested to liaise directly with the Hearings Administrator prior to **Monday 24<sup>th</sup> April** regarding their needs.

**EXPERT CONFERENCING**

[19] Expert witnesses presenting technical expert evidence may be requested to participate in expert conferencing matters relevant to their specific areas of expertise and to produce a Joint Witness Statement on that topic. This will be confirmed by way of a further Minute at a later date or at the hearing itself.

[20] All expert witnesses, in both preparing and presenting their evidence as well as when attending expert conferencing, are expected to comply with the Environment Court Consolidated Practice Note 2014 – Expert Witness Code of Conduct available at the following website.

<http://environmentcourt.govt.nz/assets/Documents/Publications/2014-ENVC-practice-notes.pdf>

**SITE VISITS**

[21] A preliminary site visit will be undertaken ahead of the hearing commencing. It is also likely that I will make a further site visit ahead of closing the hearing.

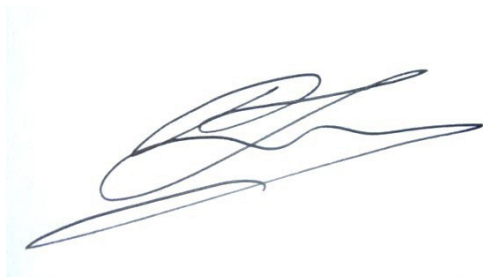
**SERVICE ON THE COUNCIL**

[22] All material addressed by this Minute must be lodged with the Hearings Administrator by either:

- Preferably email to District Plan Administrator at [submissions@selwyn.govt.nz](mailto:submissions@selwyn.govt.nz); or
- Post addressed to District Plan Administrator, Selwyn District Council, 2, Norman Kirk Drive, Rolleston; or
- Hand delivery to District Plan Administrator, Selwyn District Council, 2, Norman Kirk Drive, Rolleston.

All material received will be available as soon as reasonably possible to all parties from the Selwyn District Council website at the following link:

<https://www.selwyn.govt.nz/property-And-building/planning/strategies-and-plans/selwyn-district-plan/plan-changes/plan-change-request-79-rezone-approximately-37ha-of-land-from-rural-inner-plains-to-living-z,-birchs-road,-prebbleton>



Paul Thomas

**Independent Commissioner**

Dated: 14 March 2021