

**IN THE MATTER OF**

**the Resource Management Act 1991**

**A N D**

**IN THE MATTER OF**

**application by KeaX Limited for resource consent to establish a solar array at 150 Buckleys Road, 115 Buckleys Road and 821 and 883 Hanmer Road, Brookside, Selwyn**

**(RC225180)**

**MINUTE OF MR A C HUGHES-JOHNSON KC EXTENDING TIME LIMIT  
FOR COMPLETION OF HEARING**

**DATED 24 FEBRUARY 2023**

1. Following the hearing held yesterday at the offices of the Selwyn District Council, it has not proved to be possible to complete the hearing of evidence and submissions today, being the last day provided for by s103A of the Resource Management Act 1991 ("the Act") for the completion of the hearing. Hearing time had not been scheduled for the hearing to continue today but an inquiry was made as to the availability of the parties. It became apparent that persons involved in the hearing were not available today and in particular Mr van der Wal, counsel for a number of the submitters.
2. I record that at the conclusion of yesterday's hearing, I raised the issue of extending time for the completion of the hearing, give the practical difficulties which had arisen at that time. The hearing is to resume at the Selwyn District Council on Tuesday 28 February 2023 with a notice to follow. In the circumstances, and after discussion with counsel for the applicant and Mr van der Wal for the submitters, I suggested that the extension should be until Monday 6 March 2023. I was advised that the applicant was agreeable to this. In the circumstances I extend the time for completion of the hearing until Monday 6 March 2023 pursuant to s37 and s37A of the Act. In this context I record :-
  - (i) that I note the agreement of the applicant, but in any event am of the view that special circumstances apply, being the practical inability to complete the hearing within the time prescribed by the Act;
  - (ii) I record that I have taken into account the matters specified in s37A(1) of the Act. I am of the view that the extension will not give rise to unreasonable delay and I note that the party most affected by the extension is the applicant which agrees to the extension. I do not believe that the interests of any other person will be adversely affected by the extension.

3. I propose to conduct a site inspection and anticipate that this will take place during the week of 27 February 2023. I propose that I be accompanied by an officer of the Council but that no other parties attend the site inspection. However I anticipate that arrangements will need to be made for me to visit the dwellinghouses where it is asserted that there is an adverse visual or other effect. These arrangements can be discussed at the hearing next Tuesday.

**DATED** this 24th day of February 2023



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**A C HUGHES-JOHNSON KC**  
**COMMISSIONER**