

Under the Resource Management Act 1991

IN THE MATTER OF an application from KeaX Limited to construct and operate a 111ha solar array at 115 and 187 Buckleys Road, Leeston.

FOURTH MINUTE OF THE HEARING COMMISSIONER – EVIDENCE AND SUBMISSION VALIDITY

- [1] I issued the Third Minute on Tuesday 27 February relating to the late filing of evidence of Mr Raymond Henderson on behalf of the Brookside Submitters Group for the above Hearing. I have not received any requests from Parties on this matter and confirm that the Hearing will commence as set out in Minute 1.
- [2] In reviewing the submissions, s42A material and expert Hearing evidence it has come to my attention that Mr Henderson has put forward a submission in his own right. There are two matters arising that will be addressed at the opening of the Hearing:
- a. The status of the Submission from Mr Henderson, which declares itself to be on behalf of Te Taumutu Rūnanga.
 - b. The expert evidence of Mr Henderson on behalf of the Brookside Submitters Group.
- [3] In terms of matter (a), I note that the s42A Report references at [164] that both Te Taumutu Rūnanga and Ngāi Tahu Whakapapa Unit have provided formal correspondence that Mr Henderson does not whakapapa for Te Taumutu. I have attached correspondence sought from the s42A Reporting Officer confirming such.
- [4] Based on that correspondence, the submission cannot be used to represent the position of Te Taumutu Rūnanga. Accordingly, as Mr Henderson has not been identified as an affected party in his own right, I advise in advance that I am of a mind that the submission be struck out as invalid pursuant to sections 96(3), (4) and s41D(1)(c) of the Resource Management Act 1991.
- [5] In terms of (b) above, I remind Mr Henderson in terms of his expert evidence as to his obligations to the Code of Conduct as set out in [3] of his evidence.



Matt Bonis
Independent Hearing Commissioner
29 February 2024

Matt Bonis

From: Faye White <[REDACTED]>
Sent: Tuesday, 23 January 2024 10:50 AM
To: Richard Bigsby
Cc: [REDACTED]
Subject: RE: KeaX Ltd - RC235464 - Te Taumutu Rūnanga Submission

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Kia ora Richard,

Yes I am referring the Raymond John Henderson as detailed in the submission itself. I just made a quick referral to the title of the submission document but should have been more specific. Raymond John Henderson is the name that I checked with the whakapapa unit.

I agree with you which was why I also mentioned that he did whakapapa to other local hapū and therefore cannot comment on his credibility in that respect, only that we can confirm he does not whakapapa to Taumutu. Therefore this submission cannot be used to represent the position of Te Taumutu Rūnanga.

Hope that helps

Thanks

Faye

From: Richard Bigsby <Richard.Bigsby@selwyn.govt.nz>
Sent: Tuesday, January 23, 2024 10:29 AM
To: Faye White <[REDACTED]>
Cc: [REDACTED]
Subject: RE: KeaX Ltd - RC235464 - Te Taumutu Rūnanga Submission

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Morena Faye,

Thank you for the prompt response. Just to confirm we're both referring to the same person the attached submission document states it was prepared by a Raymond John Henderson. Is this the same person you're referring to?

[REDACTED] I'm seeking to clarify whether the submission should be treated as one of an individual, rather than as representative of the Te Taumutu Rūnanga. It will be important that I can clarify this for the Commissioner.

Ngā mihi,
Richard

From: Faye White <[REDACTED]>
Sent: Tuesday, January 23, 2024 9:19 AM
To: Richard Bigsby <Richard.Bigsby@selwyn.govt.nz>

Cc: [REDACTED]

Subject: FW: KeaX Ltd - RC235464 - Te Taumutu Rūnanga Submission

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Kia ora Richard,

Ngā mihi for your email. This is not a resource consent submission that has been completed by our mandated whānau representatives who represent Te Taumutu Rūnanga in this capacity. Those representatives are Les Wanhalla and Rachel Robilliard.

Raymond Johnson who completed this submission does whakapapa to other local hapū according to the Ngāi Tahu whakapapa unit. However, Ngāi Tahu whakapapa unit has confirmed that Raymond **does not** whakapapa to Taumutu.

If you have any other questions please feel free to contact us.

Ngā mihi

Faye White

Kaitiakitanga Kaitohutohu and

Climate Change Advisor

Te Taumutu Rūnanga

75 Main South Road, Sockburn,

Christchurch



Te Taumutu Rūnanga

From: Richard Bigsby <Richard.Bigsby@selwyn.govt.nz>

Sent: Monday, January 22, 2024 5:15 PM

To: Te Taumutu Runanga <taumutu@ngaitahu.iwi.nz>

Subject: FW: KeaX Ltd - RC235464 - Te Taumutu Rūnanga Submission

Kia ora,

As outlined below, I've received a submission in relation to a solar array resource consent application that I'm currently processing. Are you able to clarify your view if this submission is made on the behalf of the Rūnanga?

Please give me a call if you have any questions or concerns.

Ngā mihi,

Richard

From: Megan Hickey [REDACTED]

Sent: Monday, January 22, 2024 1:28 PM

To: Richard Bigsby <Richard.Bigsby@selwyn.govt.nz>; Mahaanui Admin <Mahaanui.Admin@ngaitahu.iwi.nz>

Subject: RE: KeaX Ltd - RC235464 - Te Taumutu Rūnanga Submission

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Kia ora Richard,

I can confirm that the submission has not come from our office, nor have we had any involvement in it. Due to that fact, I cannot say whether it is on the behalf of the Te Taumutu Rūnanga and approved by the kaitiakitanga portfolio committee.

My suggestion would be to contact the Te Taumutu Rūnanga office to ask for clarification. They can be contacted at: taumutu@ngaitahu.iwi.nz or 03 371 2660.

Ngā mihi

Megan Hickey | Senior Environmental Advisor
Mahaanui Kurataiao Ltd | 226 Antigua Street |
Christchurch NZ 8011



Web: mahaanuikurataiao.co.nz

From: Richard Bigsby <Richard.Bigsby@selwyn.govt.nz>
Sent: Monday, January 22, 2024 11:04 AM
To: Mahaanui Admin <Mahaanui.Admin@ngaitahu.iwi.nz>
Cc: Megan Hickey [REDACTED]
Subject: KeaX Ltd - RC235464 - Te Taumutu Rūnanga Submission

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Morena,

I'm processing a resource consent application for a solar array north of Leeston, which was limited notified on the 21st November 2023. Te Taumutu Rūnanga were included as a notified party and were notified via Mahaanui Kurataiao Ltd.

We've received the attached submission and I just wanted to clarify if the submission was on the behalf of the Te Taumutu Rūnanga and approved by the kaitiakitanga portfolio committee?

Ngā mihi,
Richard

Richard Bigsby

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