

Commissioner Minute

3 February 2025

Application RC245009 – Rolleston Cornerstone Church

Withdrawal of Submission / Need for Hearing – C.E. White

I have today received advice that Mr C.E. White has withdrawn from the hearing process for RC245009 as a submitter, and have been provided with a copy of an agreement between Mr White and the applicant as to proposed fencing and lighting measures to be undertaken by the applicant.

Mr White was the only submitter to the application who requested to be heard. Accordingly, I have been asked to consider whether the hearing set down for 14 February is now required.

S.100 provides as follows:

100 Obligation to hold a hearing

A hearing need not be held in accordance with this Act in respect of an application for a resource consent unless—

- (a) the consent authority considers that a hearing is necessary; or*
- (b) either the applicant or a person who made a submission in respect of that application has requested to be heard and has not subsequently advised that he or she does not wish to be heard.*

Subsection (b) has been satisfied with the withdrawal of Mr White from the hearing process. I must still consider whether a hearing is necessary under s100(a).

I have read the s42A reports and evidence provided by the applicant and Council consultants, and note that there is general agreement between them on most matters. There are however some outstanding issues that remain, which appear to be resolvable. It is also unclear from Mr White's email whether he has withdrawn his submission in full, or only his participation in the hearing process. I understand that Council staff are seeking confirmation of this. If these matters are able to be resolved, then I agree that a hearing will not be necessary.

In order to progress the application to a decision, I direct that:

- 1. Mr White to confirm by 5pm Tuesday 4 February whether he has withdrawn his submission in full, or has only withdrawn from the hearing process.**
- 2. The applicant to confirm by 5pm Wednesday 5 February whether the application is amended to include the matters agreed to with Mr White, or whether they exist as a side agreement outside of the application.**
- 3. Mr Henderson to provide an amended s42A report by 5pm Monday 10 February, responding to:**
 - (a) Any amendments to the application**
 - (b) The withdrawal of Mr White from the hearing process (or as a submitter)**
 - (c) The matters raised in paragraphs 63 – 69 of Mr Montfort's evidence concerning conditions 1 and 30.**

4. The applicant to confirm by 5pm Tuesday 11 February whether it wishes to be heard in respect of any outstanding matters.

Subject to the outcome of the above matters, I agree that a hearing is unlikely to be required. If there are any remaining issues to be resolved, a brief hearing may be required either in person or via AVL to discuss those matters. A determination on this will be made following confirmation from the applicant on point (4) above.

A handwritten signature in black ink, appearing to be 'GT' or similar, written in a cursive style.

Graham Taylor

Commissioner

3 February 2025