

BEFORE THE SELWYN DISTRICT COUNCIL

IN THE MATTER OF The Resource Management Act 1991 (**Act**)

AND

IN THE MATTER OF Resource consent application RC216016 to establish and operate a PAK'nSAVE supermarket and associated carparking, signage and landscape, and to undertake soil disturbance under NES, at 157 Levi Road, Rolleston

AND

IN THE MATTER OF **FOODSTUFFS (SOUTH ISLAND) PROPERTIES LIMITED**

Applicant

**MINUTE NO 5 OF HEARING COMMISSIONER DAVID CALDWELL
REGARDING FURTHER INFORMATION**

Dated 29 August 2022

1. I refer to my earlier Minutes. I have undertaken my site visit and I have now received the Applicant's Reply in accordance with my earlier directions.
2. I have considered whether I should receive further submissions in relation to the Intensification Planning Instrument – Variation 1 which has now been notified. I do not consider I would benefit from additional submissions. The Variation was to a large degree anticipated by the experts and Counsel. The introduction to the Variation, and the relevant objectives and policies, appear to me to largely reflect the present planning environment in relation to compatibility and appropriateness.
3. I note that the issue of precedent and/or plan integrity has not been addressed in any detail by the planners or in legal submissions. While it was not a matter of any focus, it is an issue that I will need to consider.
4. To ensure that I am fully informed, I provide the opportunity for the Applicant and any submitter who has raised this issue in their submissions, to provide any submissions or comments on the relevance of precedent and/or plan integrity to this application. I do not consider that needs to be addressed sequentially and therefore direct that any such comments or submissions are to be provided no later than **5.00pm on Thursday 1 September 2022**. These are to be provided by email to rc.hearings@selwyn.govt.nz.
5. Once I have considered any additional comments or submissions provided, I intend to close the hearing.



David Caldwell
Hearing Commissioner

Dated: 29 August 2022