

**IN THE MATTER of
the Resource Management Act 1991**

AND

**IN THE MATTER of
hearing of submissions and further
submissions on the Proposed
Waimakariri District Plan**

AND

**of hearing of submissions and further
submissions on Variations 1 and 2 to the
Proposed Waimakariri District Plan**

**MINUTE 14 – RESPONSE TO SPARK
MEMO ON FUDA AND REZONING
TIMETABLING**

PURPOSE

- (1) The purpose of this Minute is to respond to the Memorandum of Counsel for Richard and Geoff Spark (Spark Memo) regarding the timetabling of hearing of their submissions on DEV-SER-APP1, dated 21 November 2023. A copy of the Spark Memo is available on the [Council](#) website.
- (2) In summary, the Spark Memo seeks that all matters relating to their submissions on the FUDA, the certification process and rezoning be heard as part of the rezonings hearings in Stream 12, due to commence on 27 May 2024. The memo also seeks a timetable for such to occur. The reasons given are that the current approach would result in a significant degree of crossover with evidence and expertise, and that such an approach would be more efficient and allow a more integrated approach.
- (3) The Council has usefully provided the Panel with a response to the Spark Memo, which is also available on the [Council](#) website. The Council Memo identifies that the request in the Spark Memo would affect approximately 12 other submitters with similar submission points. The Council notes that the scope of the FUDA hearing is the certification mechanism, rather than on the provision of information that would be required to obtain certification. The Council Memo also explains the interface between the FUDA certification provisions and the rezonings. In summary again, the FUDA hearing is less likely to require technical evidence, which is more likely to be presented during the rezoning hearings.
- (4) The Council's recommendation is that we do not change the timetabling as set out in Minute 1 Version 7.
- (5) We accept the Council's recommendation on this matter. The Panel is not anticipating that the FUDA hearing in Stream 10 will involve technical evidence relating to rezonings, and rather will focus on the mechanics of the certification process and other matters relating to the FUDA process. We also accept that we may need to circle back after the rezoning hearings to address any consequential amendments to relevant FUDA provisions or development area provisions. This is the nature of a full Proposed District Plan hearing process. As such, the timetabling set out in Minute 1 Version 7 stands.
- (6) In preparing for the hearings, we encourage Spark and other submitters in the same position to discuss their approach to presenting their submission points directly with Mr Peter Wilson, who is the lead reporting officer on this matter.

CORRESPONDENCE

- (7) Submitters and other hearing participants must not attempt to correspond with or contact the Hearings Panel members directly. All correspondence relating to the

hearing must be addressed to the Hearings Administrator, Audrey Benbrook, on 0800 965 468 or audrey.benbrook@wmk.govt.nz.



Gina Sweetman

Independent Commissioner – Chair - on behalf of the Hearings Panel members

28 November 2023