

**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 17 – RESPONSE TO CARTER
GROUP LIMITED AND ROLLESTON
INDUSTRIAL DEVELOPMENTS LTD
SEEKING PANEL DIRECTIONS**

PURPOSE

1. The purpose of this Minute is to respond the Memorandum of counsel on behalf of Carter Group Limited and Rolleston Industrial Developments Limited (the Memo), who seek that the IHP direct the Council to produce further information in respect to the “Waimakariri Residential Capacity and Demand Model – IPI 2023 Economic Assessment – Dated 8 December 2023” (Economic Report). The Memo also indicates that the submitters will be seeking a direction for expert conferencing after the Council’s s42A report has been released. A copy of the Memo is on the [Council website](#).
2. We subsequently sought clarification by email on which particular sections of the RMA we were being asked to rely to provide the directions sought by the submitters. Counsel for the submitters submitted, in summary, that:
 - a. Section 41(1)(c) gave us the power to issue a summons requiring any person to attend at the time and place specified and to give evidence and to produce any material that is relevant to the subject of the inquiry.
 - b. Section 41(4) gave us the power to request and receive information and advice from any person who makes a report under s42A or who is heard by or represented at the hearing, that is relevant and reasonably necessary to determine an application.
3. We have considered the submitters’ request for directions. We find that the directions sought are premature in terms of proceedings. We have yet to receive a s42A report or submitter evidence and we are therefore not yet in a position to turn our minds to the matters raised by the submitters.
4. If the submitters have identified what they consider are deficiencies in the Economic Report, then we suggest that they raise these directly with the Council. We have asked the Council to provide to the s42A author so that they are aware of it and the questions that the submitters have.
5. Paragraphs 81 to 85 of Minute 1, Hearing Procedures, sets out our request for expert witnesses to conference in advance of a hearing. It also sets out that the Panel may request conferencing during or after each hearing. At this point in time, with no s42A or submitter evidence before us to review and determine where we have questions that require conferencing, it would be premature to direct any expert conferencing to occur. We will consider the need to request expert conferencing at the appropriate time. The submitters, however, may wish to contact the Council to discuss expert conferencing occurring before the hearing.

CORRESPONDENCE

6. 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 Independent Hearings Panel members

24 January 2024