

Before the Independent Hearings Panel
at Waimakariri District Council

under: the Resource Management Act 1991

in the matter of: Submissions and further submissions to the Proposed
Waimakariri District Plan and submissions and further
submissions on Variation 1 to the Proposed Waimakariri
District Plan

and: **Rolleston Industrial Developments Limited**
Submitter 160; Submitter 60 in Variation 1

and: **Carter Group Property Limited**
Submitter 237

Memorandum of counsel regarding Minutes 20 and 21 and expert
conferencing

Dated: 12 March 2024

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**MEMORANDUM OF COUNSEL REGARDING MINUTE 20 AND 21 AND
EXPERT CONFERENCING**

- 1 Rolleston Industrial Developments Limited and Carter Group Property Limited (the *submitters*) lodged planning evidence and appeared at Hearing Stream 10A. On 5 March 2024, the submitters lodged 25 briefs of evidence in relation to Hearing Stream 12 (relating to the Ohoka rezoning request).
- 2 This memorandum responds to Minutes 20 and 21 and the directions/requests within those Minutes for expert conferencing in relation to Hearing Streams 10A and 12.
- 3 The submitters will make the following economic and planning experts available for conferencing:
 - 3.1 Mr Jeremy Phillips (planner);
 - 3.2 Mr Tim Walsh (planner);
 - 3.3 Mr Greg Akehurst (economist); and
 - 3.4 Ms Natalie Hampson (economist).
- 4 The submitters also request that Mr Gary Sellars attend the economic expert conferencing. While not technically an economic expert, Mr Sellars has provided evidence for a number of parties on the Waimakariri residential market. This evidence has fed into and informed a number of economic experts and their conclusions in evidence.
- 5 The submitters note that not all of the expert evidence for Hearing Stream 12 has been uploaded onto the Council's website. The submitters consider that the questions could be added to or refined further after all parties have had a chance to read and digest this evidence. Once we receive confirmation from the Council that all of the Hearing Stream 12 evidence has been uploaded onto the website, and have had the opportunity to read and consider this evidence, we will file a further memorandum suggesting any refinements to the conferencing questions as necessary.
- 6 In addition to any potential refinement of questions after having considered all of the Hearing Stream 12 evidence, the submitters consider that the following question should also be included in the

planning expert conferencing as this definition underpins the economics evidence for a number of parties:

- 6.1 What is the relevant 'urban environment' for the purposes of the NPS-UD?
- 7 This particular question should be conferenced on prior to the economic expert conferencing on sufficiency of development capacity within the urban environment. This will avoid the economic experts having to grapple with a planning/legal issue, the interpretation of which, may impact the way sufficiency is (or should be) quantified under the NPS-UD.
- 8 The submitters consider two days for each of the planning and economic conferencing is sufficient.
- 9 The submitters also see some benefit in general expert conferencing for all transport experts in Hearing Stream 12, and invite the Council to arrange such conferencing. The topics for this conferencing could include:
 - 9.1 Funding mechanisms for road network upgrades; and
 - 9.2 Catering for growth in the roading network.
- 10 In terms of conferencing on the submitters specific rezoning request at Ōhoka, the submitters are happy to make all of their experts available for conferencing with Council officers and relevant submitters. However, in the absence of a section 42A report, which identifies which site-specific issues are in contention, the appropriate topics for conferencing are difficult to determine.
- 11 In summary, the submitters seek the following directions from the Panel:
 - 11.1 The additional question of "What is the relevant 'urban environment' for the purposes of the NPS-UD?" is added to the list of questions for the planning expert conferencing; and
 - 11.2 That the planning conferencing occurs prior to the economic conferencing on sufficiency of development capacity; and
 - 11.3 That parties are given time to read and consider all of the Hearing Stream 12 evidence, and suggest to the Panel

additional questions (or refinements) to those set out in Minute 20 for the planning and economic experts; and

11.4 That Mr Sellars is included in the economic expert conferencing.

12 We thank the Panel for its time and assistance.

Dated: 12 March 2023

A handwritten signature in blue ink, appearing to read 'Jo Appleyard', is written above a horizontal line.

Jo Appleyard / Lucy Forrester
Counsel for Rolleston Industrial Developments Limited and Carter Group
Property Limited