

**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 25 – LEAVE REQUEST HEARING  
STREAM 12D, HEARING STREAMS 12E  
AND F, REPLY FOR HS10A AIRPORT  
NOISE AND BIRDSTRIKE, ECONOMIST  
CONFERENCING, REQUEST FOR WAIVER  
OF TIME FOR LATE FURTHER  
SUBMISSION**

## PURPOSE

1. The purpose of this Minute is to:
  - a. Respond to Council's request for leave for Mr Nicholson from Hearing Stream 12D.
  - b. Respond to the Council's memorandum regarding their approach to Hearing Stream 12E.
  - c. Respond to the Council's memorandum regarding the requested new Hearing Stream 12F, and to seek the submitters' comment on the request for leave for Mr Nicholson by no later than **4pm Friday 7<sup>th</sup> June 2024**.
  - d. Request Council to provide final Reply Reports for Hearing Stream 10A on airport noise and birdstrike by no later than **4pm Friday 7<sup>th</sup> June 2024**.
  - e. Comment on economist expert conferencing.
  - f. Address a request from Mandeville Village Partnership Limited for leave under s37 RMA to file a late further submission in relation to Rolleston Industrial Developments Limited [160] (RIDL) and seek comment from RIDL and any interested person in respect of the requested leave, by no later than **4pm Friday 31<sup>st</sup> May 2024**.

## MR NICHOLSON - HEARING STREAM 12D

2. In the IHP's Minute 23, we asked for the submitters who are being heard in Hearing Stream 12D to respond to the Council's memo seeking leave to excuse Mr Nicholson from appearing at the hearing. We received the submitters' response on 30 April 2024, which is available on the [Council's website](#). We apologise for the delay in responding to this matter.
3. Having considered the Council's and submitters' positions, we excuse Mr Nicholson from appearing at the hearing. We acknowledge that this is not an optimal outcome, but we consider it reasonable in the circumstances set out in the Council memo. We are very mindful of the matters set out by both the Council and the submitters and we will ensure that there is natural justice and fair process applied to any requests or directions from the Panel to ensure no parties are disadvantaged. We trust the Council and submitters will work proactively together in arranging any expert conferencing in advance of the hearing to ensure no disadvantages occur.

## HEARING STREAM 12E

4. The Hearings Panel would like to thank the Council for their Memorandum of 6 May 2024 regarding their proposed approach to reporting on submissions for rezoning under the PDP and Variation 1 (HS12E Memo). The HS12E Memo responded to our Minute 23 and is available on the [Council's website](#). In Minute 23, we invited submitters to provide comment on the HS12E Memo by 13 May 2024. We received no submitter comment.

5. Having reviewed the HS12E Memo and received no comments from submitters, the Hearings Panel accepts the Council's proposed approach to HS12E. That is, HS12E will be split, where the whole PDP Hearings Panel will hear from the reporting officer and submitters on submissions on the PDP and then adjourn, and the IHP will subsequently hear from the reporting officer and submitters on any submissions on Variation 1 (if not tabled separately). The hearing schedule will be developed accordingly, and submitters who wish to be heard on both the PDP and Variation 1 will need to liaise with the Hearing Administrator about time allocation closer to the time.
6. The IHP notes that submitters may request cross-examination in respect to Variation 1 submissions. The process for requesting cross-examination is set out in Minute 1.

## HEARING STREAM 12F

7. The HS12E Memo also introduced a request for a new Hearing Stream 12F, to respond to Submission 10 from Daniel Smith which seeks to apply a new Special Purpose Zone at the Rangiora Airfield. The reasons for that request are set out in the HS12E Memo. The Hearings Panel agree that it is appropriate that this submission is heard solely by the IHP. The hearing schedule will be developed accordingly.
8. The HS12E Memo also seeks leave to excuse Mr Nicholson from appearing at the hearing. As we did in Minute 23, we invite Mr Smith to express his view on the request to excuse Mr Nicholson by no later than **4pm Friday 7<sup>th</sup> June 2024**.

## REPLY REPORTS FOR HEARING STREAM 10A

9. Following receipt of the acoustic, ecologist and planning joint witness statements, the IHP has compiled the following questions we would like answered in the Section 42A report author's Reply Reports:
  - a. Please respond to all the evidence presented at the hearing.
  - b. Please set out your final recommendations following the joint witness statements, including those on urban growth which are relevant to HS12.
10. We request that these Reply Reports be provided no later than **4pm Friday 7<sup>th</sup> June 2024**, unless otherwise agreed with the Chair.
11. The list of questions is not exhaustive and Section 42A authors are also invited to respond to other matters arising from the hearing. This includes matters that the authors have deferred in their statements of supplementary evidence. Each Reply Report is to append a fully updated Appendix B, recommended responses to submissions and further submissions.

12. In their Reply Reports, Section 42A report authors are also requested to provide a fully updated Appendix A “recommended amendments” to their respective chapters showing:
- a. Any further recommended amendments to the chapters having read and heard evidence through the hearings process. These are to be shown in a consistent manner across the rights of reply, using the same annotation, which clearly delineates the recommended amendments from the Section 42A report and further recommended amendments following the hearing.
  - b. Each recommended amendment to the chapter(s) being footnoted to the relevant submission(s) that the amendment(s) relates to.

## ECONOMIST EXPERT CONFERENCING

13. We understand that the economist expert conferencing we requested in our Minutes 20 and 21 has yet to occur. This is unfortunate, as the Hearings Panel considers this would have benefited all parties in advance of Hearing Stream 12 commencing. We noted the Memorandum of Counsel on behalf of B and A Stokes of 8 May 2024 which stated the submitter’s economic expert’s willingness to participate in conferencing on the information available, and thank the submitter for providing us that memorandum (available on the Council website).
14. The Hearings Panels will likely direct economic expert conferencing to occur once the hearings commence.

## REQUEST FOR WAIVER FOR LATE FURTHER SUBMISSION

15. On Monday 20 May 2024, the IHP received a request for leave from Mandeville Village Partnerships Limited (MVPL) to lodge a further submission on Rolleston Industrial Developments Limited original submission 160. The request and further submission is available on the [Council’s website](#).
16. The request sets out the reasons why MVPL seek leave and why they consider that no parties would be prejudiced by the request. Sections 37 and 37A of the RMA set out the power and requirements for waiver and extensions of time limits. In accordance with those sections, the IHP seeks comment from RIDL and any interested persons who feel that they may be directly affected by the waiver, by no later than **4pm Friday 31<sup>st</sup> May 2024**. The IHP will make a determination on the request following receipt of any comments.

## CORRESPONDENCE

17. 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 on 0800 965 468 or  
Audrey.benbrook@wmk.govt.nz.



Gina Sweetman  
Independent Commissioner – Chair - on behalf of the PDP and IHP Hearings Panel members  
22 May 2024