

**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**  
**Variation 1 to the Proposed Waimakariri District**  
**Plan**

**MINUTE 45 – RESPONSE TO CARTER GROUP**  
**PROPERTY LTD AND ROLLESTON INDUSTRIAL**  
**DEVELOPMENTS LIMITED CONCERNS RELATING**  
**TO CODE OF CONDUCT AND POTENTIAL NEW**  
**EVIDENCE**

## RESPONSE TO CARTER GROUP PROPERTY LTD AND ROLLESTON INDUSTRIAL DEVELOPMENTS LIMITED CONCERNS RELATING TO CODE OF CONDUCT AND POTENTIAL NEW EVIDENCE

1. The IHP has reviewed the legal submissions of counsel on behalf of Carter Group Property Ltd and Rolleston Industrial Developments Limited (RIDL) for Hearing Stream 12D and the memorandum of counsel (RIDL Memo) sent to the IHP on 29 October 2024. Both of these documents are available on the [Council website](#).
2. In legal submissions, Counsel for RIDL raises concerns that Mr Binder for the Council may not have acted in accordance with the Environment Court's Code of Conduct for Expert Witnesses if he has liaised with Mr Buckley in drafting his component of the transport experts joint witness statement. Counsel has requested that we *"ask Mr Willis and Mr Buckley whether they saw the draft JWS and/or provided input to Mr Binder as to its contents before it was signed."*
3. We consider this is an important matter to be resolved, and hereby direct that Mr Binder, Mr Willis and Mr Buckley address this matter at the commencement of Hearing Stream 12D.
4. In the memorandum, Counsel for RIDL also raises concerns that the Council has engaged a new expert to prepare new technical evidence to be provided at either the reconvened Hearing Stream 12D or for the subsequent Reply Report. Counsel seeks that we provide a direction on this issue.
5. The Council has not sought leave to provide the IHP with any new technical evidence and we are not aware otherwise of any new technical evidence being prepared beyond what we have read in the RIDL Memo. Given how we have responded to previous requests to provide late evidence, we are certain that all parties to the PDP and Variation 1 hearings will be aware of the need to seek our leave to do so. We see no need to issue a direction unless leave to provide late evidence is sought and failing that we will not accept any further evidence into the process.

## 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 on 0800 965 468 or [Audrey.benbrook@wmk.govt.nz](mailto:Audrey.benbrook@wmk.govt.nz).



Gina Sweetman  
Independent Commissioner – Chair - on behalf of the IHP members  
30 October 2024