

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Ashburton District Council Proposed Private Plan Change 6 to the Ashburton District Plan

Minute #1 of Independent Hearing Commissioner

Proposed Private Plan Change 6: Rezoning of 259 Alford Forest Road, Ashburton

Pursuant to section 34(A)(1) of the Resource Management Act 1991 (the Act), I have been given delegated authority from Ashburton District Council to consider the above Plan Change and the submissions received. A hearing has been scheduled to assist in making a recommendation to the Council on the Plan Change.

Hearing details:

The hearing will take place in the Wakanui Room, Ashburton District Council, 2 Baring Square East on Friday 14 February 2025, commencing at 10am.

1. Pre-circulation of evidence

The Act sets out procedures for the pre-circulation of evidence. The following is a timetable for the submittal of this evidence:

Council evidence

A copy of the planning officer's report and any expert evidence by Council officers must be submitted to the plan change applicant and any submitter who wishes to be heard **before 5pm Wednesday 22 January 2025** (s42A(3)(a) of the Act).

Plan Change Applicant's evidence

Any expert evidence prepared by the plan change applicant must be provided to the Council and any submitter who wishes to be heard **before 5pm Wednesday 29 January 2025** (s41B(2) of the Act).

Submitters evidence

At present, no submitters have indicated they wish to be heard as part of these proceedings. Should this change, any submitter evidence must be provided to the Council and the plan change applicant by **5pm Wednesday 5 February 2025** (s41B(4) of the Act).

Non-expert evidence

Any non-expert evidence, including submitter lay evidence and legal submissions, should be tabled and read aloud on the day that the relevant party appears at the Hearing. Parties should bring five hard copies of their material for distribution during their presentation.

2. Viewing evidence

The Council is to make all briefs of evidence available within the relevant timeframe identified in these Directions on its website at:

<https://www.ashburtondc.govt.nz/home-and-property/planning-guidance-and-resource-consents/notifications>

3. The Hearing

Pursuant to s41C(1) of the RMA, I direct that expert evidence pre-circulated in accordance with these Directions will be handled as follows:

The section 42A report(s) and all pre-circulated evidence will be taken as read. The plan change applicant and submitters who have provided pre-circulated evidence must present their witnesses in person. Each witness should first confirm their qualifications and experience, followed by confirmation of the matters of fact and opinion contained in their brief of evidence.

Witnesses will then have the opportunity to highlight key points from their brief. No new evidence may be introduced unless it specifically responds to matters raised in other pre-circulated briefs of evidence supplied by another party. In such cases, the new evidence must be presented in written form as an Addendum to the primary brief of evidence and may be verbally presented by the witness. Following this, I may question the witness.

A useful guide to RMA hearings can be found at:

<https://environment.govt.nz/publications/appearing-at-a-hearing-about-a-proposed-plan-or-resource-consent/>

4. Site visit

I will conduct an unaccompanied site visit on the morning of the hearing. If a hearing is not required, I will determine whether a site visit is necessary based on any site-specific matters that may arise.

5. Correspondence

If the applicant or any submitter has any questions about the hearing arrangements, or any other matter relating to the plan change, they should contact Nicholas Law (nicholas.law@adc.govt.nz). Mr Law may confer with me as necessary to respond to queries.

The hearing is a formal semi-judicial process but will be conducted as informally as possible while maintaining compliance with the procedures specified in the Resource Management Act 1991. All parties will receive a fair and reasonable opportunity to present their submissions.

A handwritten signature in black ink, appearing to read 'John Scheele', with a long horizontal flourish extending to the right.

John Scheele
Independent Commissioner
Dated: 17 December 2024