

Before an Independent Hearings Panel  
Appointed by Waimakariri District Council

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*under:* the Resource Management Act 1991

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

*and:* Hearing Stream 12: Rezoning requests (larger scale)

*and:* **Rolleston Industrial Developments Limited**  
(Submitter 60)

Memorandum of counsel seeking leave to cross-examine  
witnesses under Variation 1

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Dated: 24 June 2024

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## MEMORANDUM OF COUNSEL SEEKING LEAVE TO CROSS-EXAMINE WITNESSES UNDER VARIATION 1

- 1 This memorandum of counsel is filed on behalf of Rolleston Industrial Developments Limited (*RIDL*), submitter 60 on Variation 1 to the proposed Waimakariri District Plan.
- 2 This memorandum seeks leave to cross-examine the following witnesses at the Variation 1 hearing in Hearing Stream 12D:
  - 2.1 **Rodney Yeoman** for the Council – regarding his residential capacity/sufficiency assessment and in particular the work that he has completed for Hearing Stream 12E which is not yet available for Hearing Stream 12D;
  - 2.2 **Peter Wilson** for the Council – regarding his housing capacity and uptake assessment and in particular the work that he has completed for Hearing Stream 12E which is not yet available for Hearing Stream 12D;
  - 2.3 **Andrew Willis** for the Council – regarding his reliance on the evidence of Mr Yeoman and Mr Wilson and in particular the work that they have completed for Hearing Stream 12E which is not yet available for Hearing Stream 12D;
  - 2.4 **Andrew Metherell** for the Oxford Ohoka Community Board – regarding his assessment of the proposal from a transport perspective; and
  - 2.5 **Nick Boyes** for the Oxford Ohoka Community Board – regarding his reliance on Mr Metherell’s evidence and his assessment of the NPS-UD.
- 3 We note that Mr Willis in his Officer’s report expressly acknowledges that it also addresses the Variation 1 submission by RIDL<sup>1</sup> (and therefore so does the evidence/reports of Mr Yeoman and Mr Wilson, relied on by the Officer’s report). Further, we understand both Mr Yeoman and Mr Wilson will be dealing with Variation 1 matters at Hearing Stream 12E.
- 4 Mr Boyes on behalf of the Oxford Ohoka Community Board submitter also confirms his evidence addresses the Variation 1 submission by RIDL<sup>2</sup> (and therefore so does the evidence of Mr Metherell, relied on by Mr Boyes).
- 5 The purpose of cross-examination of these witnesses is to test and consider in greater detail the positions that they have taken in their

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<sup>1</sup> Officer’s report, at paragraph 28.

<sup>2</sup> Mr Boyes’ evidence, at paragraph 5.

evidence with respect to the rezoning request in the context of Variation 1. The intent is to drill down into these issues to try and reach a more consistent position between all parties, for the benefit of the Panel's decision-making.

- 6 Cross-examination of each of these witnesses will take no longer than 30 minutes each.
- 7 We are not entirely clear at this stage how the Panel is proposing to deal with the Variation 1 part of the hearing, or any related cross-examination. We are happy to work with the Panel as to the most appropriate and efficient way of doing this whether as part of Hearing Stream 12D or 12E.
- 8 Further, we note that it is possible that following the questioning of the Panel of the above witnesses, all of our questions may be addressed and there may not be a need for us to cross-examine.
- 9 We thank the Panel for its consideration of this memorandum.

Dated: 24 June 2024



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J M Appleyard / Lucy M N Forrester  
Counsel for Rolleston Industrial Developments Limited