

Before an Independent Hearings Panel
Appointed by Waimakariri District Council

under: the Resource Management Act 1991

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

and: Hearing Stream 12D: Ohoka Rezoning

and: **Rolleston Industrial Developments Limited**
(Submitter 160)

Memorandum of counsel regarding supplementary evidence

Dated: 13 June 2024

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MEMORANDUM OF COUNSEL REGARDING SUPPLEMENTARY EVIDENCE

- 1 This memorandum accompanies supplementary evidence filed today by the Submitters in support of their rezoning request for hearing stream 12D Ohoka.
- 2 We note that the Submitters filed expert evidence supporting their rezoning request on 5 March 2024. At that time the Submitters' experts had not seen the Officer's Report.
- 3 The Officer's Report was published on the Council's website on 30 May 2024. A number of issues were raised in this report, including in the accompanying expert reports which warranted a response/reply by the submitters' experts.
- 4 It is unclear to us whether today's evidence deadline is intended to be for the Submitters who are seeking the rezoning, but we nevertheless considered it would be of benefit to the Panel to file evidence in response to the Officer's Report well in advance of the hearing commencing on 1 July 2024, particularly where responding to that report at the hearing within the Panel's three page limit would be difficult.
- 5 If we are required to seek leave to file the supplementary evidence because today's deadline was not intended for Submitters seeking a rezoning, then leave is formally sought through this memorandum.
- 6 We advise that one of the Submitter's economists, Mr Akehurst has suffered a significant bereavement as his wife died unexpectedly on Saturday. We have not considered it appropriate to contact Mr Akehurst this week regarding completion of his supplementary evidence by today. The funeral is next Wednesday so we do not propose to contact Mr Akehurst until late next week.
- 7 Ms Hampson who is also giving economic evidence for the Submitters and is a personal friend of Mr Akehurst and his wife, and whose evidence complements Mr Akehurst's, has not been able to prepare her supplementary evidence by today either. She tells us she is well advanced and believes she will be in a position to finalise her evidence next week.
- 8 Given Mr Sexton's evidence is largely guided by the assessments of Mr Akehurst and Ms Hampson, we have not filed any supplementary evidence from him either. His evidence is likely to be filed once we have an update on Mr Akehurst's own timing.
- 9 We will keep the Panel informed as to the likely timing of these three pieces of evidence as the situation becomes clearer next week.

10 We thank the Panel for its assistance in this matter.

Dated: 13 June 2024

A handwritten signature in blue ink, appearing to read 'J M Appleyard', is positioned above a horizontal line.

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