

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

**MINUTE 48 – PANEL RESPONSE AND  
DIRECTIONS TO PROSSER AND FLETCHER  
– FAWCETTS ROAD MEMORANDUMS  
HEARING STREAM 12C**

## PANEL RESPONSE AND DIRECTIONS TO PROSSER AND FLETCHER – FAWSETTS ROAD MEMORANDUMS HEARING STREAM 12C

1. This Minute responds to the Memorandums received from Counsel for Mark and Melissa Prosser and Mr Stewart Fletcher on behalf of a group of submitters adjoining Fawcetts and Boundary Roads. Both of these memorandums are available on the [Council website](#).
2. In summary, both submitters express concerns about the alleged lack of willingness from the council report author for Hearing Stream 12C, Mr Buckley, to engage in discussions with them and on an appropriate Outline Development Plan (ODP) and associated planning provisions, should we recommend the rezoning of the relevant sites. The memorandums set out their perspectives on our directions and their requests for engagement to occur.
3. We note that in both instances, the submitters had provided an ODP and relevant plan provisions which would enable discussions to occur. We also note Mr Buckley's memorandum dated 9 September setting out who he intended to engage with, unless otherwise directed to. Mr Buckley has recommended both submissions be rejected.
4. We have read through the Reply Report and the two memorandums. We note that Mr Buckley's Reply Report includes the ODP and provisions provided by the submitters, as well as the ODP and associated plan provisions submitted by McAllister [s8] immediately after the hearing. Mr Buckley also recommends that this submission is rejected.
5. The Panel had anticipated that Mr Buckley would engage with the submitters' planning experts on the ODPs and associated planning provisions that the submitters provided, even if he continued to recommend rejecting the submissions. We also envisaged that joint statements would be prepared on areas of agreement and disagreement of the workability of the ODP and associated planning provisions to assist the Panel in its deliberations.
6. We are particularly conscious of time and the need to be able to close the hearing, issue our recommendations, and for the Waimakariri District Council to then be able to make decisions on the PDP and Variation 1 on behalf of its community. To enable a quick resolution of this matter:
  - a. We grant leave for Prosser to submit a final planning statement from Mr Mark Allan, which shall be provided within two working days of this minute being released. The focus of this shall be on how the ODP and associated plan provisions address Mr Buckley's concerns.
  - b. We accept Mr Fletcher's Memorandum and will consider the weighting to be given to the appended traffic evidence, given this was not available at the time of the hearing.
  - c. We grant leave and invite McAllister to submit any expert planning evidence which is focussed on how the ODP and associated plan provisions address Mr Buckley's concerns. If this is provided, it shall be no later than five working days after receipt of this Minute.
  - d. Mr Buckley may choose to respond to the evidence provided by Mr Allan for Prosser and Mr Fletcher and any evidence produced for McAllister. If he does choose to do so,

then this must be provided within two working days after the receipt of the planning evidence.

- e. We will not entertain any further evidence or engagement on this matter.

## CORRESPONDENCE

- 7. 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 PDP Panel Members

12 December 2024