

Canterbury Regional Council (Environment Canterbury)

**Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan and Proposed
Plan Change 2 to the Waimakariri River Regional Plan**

MINUTE AND DIRECTIONS OF THE HEARING COMMISSIONERS

on Horticulture New Zealand's proposal to withdraw submission points

[Minute 4]

- 1 Horticulture New Zealand lodged a submission on proposed Plan Change 7 to the Canterbury Land and Water Regional Plan. By its submission Horticulture New Zealand sought certain amendments to the proposed plan change.
- 2 Further submissions were lodged in respect of certain of the amendments sought: some in support of those amendments, and others in opposition to them.
- 3 Horticulture New Zealand has advised the Canterbury Regional Council that in the light of further submissions, it seeks to withdraw five submission points in its original submission.
- 4 The Regional Council has legal advice (by memorandum dated 7 April 2020) that, in the absence of a prescribed process for withdrawing submission points, and considering potential prejudice to further submitters of the proposed withdrawal, that should only be allowed by leave granted by us. The legal advice also proposes that potential prejudice to further submitters might be mitigated by our granting leave on condition that the further submitters have standing to maintain their further submission points.
- 5 We are not inclined to decide these points summarily. If Horticulture New Zealand wishes to pursue withdrawal of the submission points in question, there is time for all parties affected to address us on the questions arising.
- 6 Accordingly we give these directions:
 - a) If Horticulture New Zealand wishes to withdraw any of its submission points that are the subject of a further submission (whether in support or in opposition) it is to lodge by 27 April 2020 a written request for our leave to do so, together with any response it wishes to make to contents of the legal advice given to the Council. The submitter is also to deliver copies of the request and any response to each of the further submitters on those submission points by 27 April 2020.
 - b) If any of the further submitters wishes to respond to a request for leave or to the contents of the legal advice, they are to do so in writing lodged with the Council and Horticulture New Zealand by 11 May 2020.

- c) If Horticulture New Zealand wishes to lodge a reply to matters raised by a further submitter, they are to do so in writing lodged with the Council and served on all further submitters by 19 May 2020.
- 7 Thereafter we will consider the matter and all the points raised and give a written decision.

For the Hearing Commissioners:



David F Sheppard,

Chair

9 April 2020