

ASHBURTON DISTRICT COUNCIL

HEARING OF RESOURCE CONSENT APPLICATION BY MIDLAND PROPERTIES LIMITED

MINUTE #1 OF THE HEARING COMMISSIONER

Introduction

1. I have been appointed by Ashburton District Council (**ADC**) as an Independent Commissioner to hear and decide the application lodged by Midland Properties Limited (**the Applicant**) to construct two seed and plant research buildings for agricultural purposes at Racecourse Road. The application is referenced as LUC25/0001.
2. I understand ADC has advised the parties of the hearing date in a Hearing Notice dated 12 November 2025. For clarity, the hearing is set down to commence at 10 am on Tuesday 2nd December at Ashburton Lakes Room, Ashburton District Council, 2 Baring Square.
3. The purpose of this Minute is to establish preliminary arrangements for the hearing and the associated exchange of information between the Council, Applicant, and submitters prior to the hearing. Specifically, this minute covers the following matters:
 - a. Evidence preparation and circulation;
 - b. Hearing process / presentations;
 - c. Site and locality visit.
4. I may issue further instructions by way of a Minute(s) before the hearing. All correspondence between the parties and myself will be facilitated by Gracie Woodhouse at ADC. Her contact details are provided at the end of this Minute.

Evidence Preparation and Circulation

5. In accordance with the requirements of section 103B of the Resource Management Act 1991 (**RMA**), the circulation of the following is required in a sequential manner prior to the commencement of the hearing:
 - The report prepared by the reporting officer under section 42A of the RMA;
 - All expert and non-expert evidence of the Applicant; and
 - All expert evidence of submitters wishing to be heard at the hearing.
6. Taking account of the hearing date signalled above I accordingly direct the evidence exchange to comply with the following timetable:
 - a. the Section 42A Report (and any expert evidence called by the Council) will be made available no later than 12th November 2025;
 - b. the Applicant's expert evidence will be made available no later than 18th November 2025; and
 - c. any expert evidence called by submitters will be made available no later than **25th November 2025**.
7. If any party intends to have legal representation at the hearing, I direct any legal submissions to be provided to Ms Woodhouse for circulation by 3pm on 28th November 2025.

8. For the benefit of submitters, the exchange timetable in paragraph 6 is only required if you are calling any expert witnesses. Separate direction is provided below regarding any written material you would like to present at the hearing. For any questions of clarification about professional expertise and the code of conduct for expert witnesses, submitters can contact Ms Woodhouse in the first instance.
9. For all parties, the evidence is to be emailed to the Council's hearing administrator, Ms Woodhouse, **by 3pm on the date that applies**, so that it can be made available to others by the close of business on the same day.
10. All evidence and hearing information will be available on the Council's website.

Hearing Process/Presentations

11. The hearing has been set down for one day, but at this stage no detailed Hearing Schedule is available. The Council will contact the applicant and submitters to schedule presentations from all parties who have confirmed a desire to be heard. The Council will then prepare a Hearing Schedule based on the responses.
12. The general order for hearings of this nature is for the applicant to present first, followed by submitters and then Council reporting officers. The applicant will also be given a right of reply, which can be orally on the day, or in writing after the hearing is adjourned. In the event the Applicant presents its Reply orally, then I request a written copy also be provided.
13. If any party who wishes to speak is unable to attend proceedings in person, but is available to dial into the hearing remotely, videoconference facilities can be arranged. Any party with such requirements should signal those to Ms Woodhouse as soon as practicable.
14. The pre-circulated evidence is being distributed to all parties prior to the hearing and, as such, is 'taken as read'. This means it will not be necessary for a verbatim oral presentation of the written statements of evidence at the hearing. You may wish instead to provide a summary of your evidence on the day, or expand upon issues raised in submissions and/or to emphasise particular points. If you do read from a summary statement, please bring sufficient hard copies of the summary to circulate to parties in attendance at the hearing.
15. If any party wishes to present in Te Reo, this should be communicated to Ms Woodhouse no later than 25th November 2025 so that a translator can be made available.
16. Non-expert evidence from submitters, including lay evidence, does not need to be pre-circulated and shall instead be tabled at the hearing and read aloud on the day of the hearing. I remind the parties that I will have also read all the written submissions that were lodged on the Application and therefore discourage submitters from reading their written submissions verbatim. Again, I am happy for submitters presenting to speak to a summary of their submission by either:
 - a separate tabled statement that condenses the key points from evidence (i.e. no more than a couple of A4 pages); or
 - highlighting particular points within their evidence during their presentation.
17. With the above approach in place, I envisage presentations for all persons (expert and non-expert), except legal presentations, will be in the order of 15-30 minutes per speaker, though this is less a rigid requirement than a broad indication to assist with preparations. Further time may be required to answer any questions I may have.

Site and Locality Visit

18. I will be undertaking a general site and locality visit either before or following the hearing.
19. If any party has a desire for me to visit particular sites / localities associated with the application, they should advise Ms Woodhouse as soon as practicable.
20. If any party wishes to seek further clarification in relation to this Minute or the hearing process please contact Ms Woodhouse in the first instance, email: gracie.woodhouse@adc.govt.nz or phone 03-307-9646.

**Andrew Willis****Independent Hearings Commissioner**

18 October 2025