

BEFORE THE ASHBURTON DISTRICT COUNCIL

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF Resource consent application by Ennor Investments Ltd made to the Ashburton District Council to construct and operate 25 two-bedroom independent living units and a recreational centre in association with an established lifestyle village

MINUTE NO 1 OF COMMISSIONER JOHN SCHEELE

Dated 30 July 2025

1. Pursuant to section 34(A) of the Resource Management Act 1991 (the Act), I have been given delegated authority by the Ashburton District Council to hear and decide the resource consent application by Ennor Investments Ltd to construct and operate 25 two-bedroom independent living units and recreational centre in association with an established lifestyle village.

Hearing details

2. The hearing will take place in the Wakanui Room, Ashburton District Council, 2 Baring Square East on Friday 5 September 2025, commencing at 10am.

Pre-circulation of evidence

3. The Act sets out procedures for the pre-circulation of evidence. The following is a timetable for the submittal of this evidence:

Council evidence

The s42A Officers Report and any expert evidence by Council officers must be submitted to the applicant and submitters who wish to be heard **before 5pm Thursday 14 August 2025** (s42A(3)(a) of the Act).

Applicant's evidence

Expert evidence prepared by the applicant must be provided to the Council and all submitters who wish to be heard **before 5pm Thursday 21 August 2025** (s41B(2) of the Act).

Submitters evidence

Expert evidence on behalf of a submitter must be provided to the Council and the applicant **before 5pm Thursday 28 August 2025** (s41B(4) of the Act).

Non-expert evidence

4. Any non-expert evidence, including submitter lay evidence and legal submissions, should be tabled and read aloud on the day that the relevant party appears at the Hearing. Parties should bring five hard copies of their material for distribution during their presentation.
5. For clarity, expert evidence is evidence prepared by independently qualified persons. This includes (but is not limited to) landscape architects, transport experts, acoustic engineers and planners. I expect all expert witnesses to have read and agree to comply with the Environment Court Consolidated Practice Note (2014) – Expert Witness Code of Conduct.

Viewing evidence

6. The Council is to make all briefs of expert evidence available within the relevant timeframe identified in these Directions on its website at:

www.ashburtondc.govt.nz/home-and-property/planning-guidance-and-resource-consents/notifications/resource-consents

The Hearing

7. Pursuant to s41C(1) of the RMA, I direct that expert evidence pre-circulated in accordance with these Directions will be handled as follows:
 - a. The section 42A report(s) and all pre-circulated evidence will be taken as read. All parties who have provided pre-circulated evidence must present their witnesses in person. Each witness should first confirm their qualifications and experience, followed by confirmation of the matters of fact and opinion contained in their brief of evidence.
 - b. Witnesses will then have the opportunity to highlight key points from their brief. No new evidence may be introduced unless it specifically responds to matters raised in other pre-circulated briefs of evidence supplied by another party. In such cases, the new evidence must be presented in written form as an Addendum to the primary brief of evidence and may be verbally presented by the witness. Following this, I may question the witness.
8. A useful guide to RMA hearings can be found at:

environment.govt.nz/publications/appearing-at-a-hearing-about-a-proposed-plan-or-resource-consent/

Site visit

9. I will conduct an unaccompanied site visit on the morning of the hearing on Friday 5 September 2025.

Correspondence

10. If the applicant or any submitter has any questions about the hearing arrangements, or any other related matter, they should be raised, in writing, to Mr Nicholas Law (nicholas.law@adc.govt.nz). Mr Law may confer with me as necessary to respond to queries.
11. The hearing is a formal semi-judicial process but will be conducted as informally as possible while maintaining compliance with the procedures specified in the Resource Management Act 1991. All parties will receive a fair and reasonable opportunity to present their submissions.



John Scheele
Independent Commissioner

Dated: 30 July 2025