

**BEFORE THE CHRISTCHURCH REPLACEMENT
DISTRICT PLAN INDEPENDENT HEARINGS PANEL**

IN THE MATTER OF The Resource Management Act
1991 and the Canterbury
Earthquake (Christchurch
Replacement District Plan) Order
2014

AND

IN THE MATTER OF The Christchurch Replacement
District Plan – New Neighbourhood
Zone Provisions

SUBMITTER **DANNE MORA HOLDINGS
LIMITED**
(Submitter 1134)

**MEMORANDUM ON BEHALF OF DANNE MORA HOLDINGS LIMITED IN RESPECT
OF RESIDENTIAL NEW NEIGHBOURHOOD ZONE PROVISIONS**

14 August 2015

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MAY IT PLEASE THE PANEL

1 This memorandum is filed in response to the memorandum filed on behalf of the Council on 11 August 2015, in particular paragraphs 12, 14 and 19(f) of the same.

2 Paragraph 12 refers:

12. Its preliminary view is that the only substantial scope issue, in terms of the ability to effectively address issues raised by submissions, relates to the Outline Development Plans (ODPs) notified as part of Stage 1. It is evidence that there is varying degrees of insufficient detail on those two ODPs to meet the requirements of the Regional Policy Statement in particular; however, there are no submissions on those ODPs which would enable them to be revised in a way that provided for the necessary detail.

3 Paragraph 14 then states that the Council will seek a limited clause 13 (4) Direction relating to the Stage 1 ODP's, although the nature and extent of such a Direction is not specified.

4 It is then stated in paragraph 19(f) that the proposed limited Clause 13 (4) Direction is: *...unavoidable to address the information inadequacies identified and acknowledged for the Stage 1 ODPs because of scope issues....*

5 The Hearings Panel appointed to hear the Subdivision Proposal (Chapter 8) will be familiar with the debate surrounding the adequacy or otherwise of the North Halswell ODP, this being the ODP of particular interest to Danne Mora.


6 Likewise, the Panel will recall that the various experts engaged in caucusing prior to closing submissions on the Subdivision Proposal agreed that a number of changes be made to the North Halswell ODP to give effect to the RPS. These changes included additional narrative to clarify proposed infrastructure requirements (water and wastewater) and also the identification of an indicative area for an integrated stormwater facility to service the ODP area.

7 Subject to those amendments being made, it is understood that all parties involved in the Subdivision hearing who had an interest in the North Halswell ODP were agreed that the ODP would give effect to the RPS. The Panel is of course not bound by this consensus of opinion.

8 Similarly, the Hearings Panel had the benefit of submissions from counsel as to whether or not there was scope to make those amendments either within the submissions on the Residential New Neighbourhood Zone or within the Panel's inherent powers under Clause 13 (2) of the Order in Council. Bearing in mind the Subdivision hearing remains adjourned, the Panel may wish to have further submissions on that particular issue.

9 Respectfully therefore, it is Danne Mora's position that the Council's suggestion of a limited Direction for the Stage 1 ODP's pre-empts any decision the Panel may make on the issue of scope with respect to the North Halswell ODP. In other words, the Panel may consider that scope exists, in which case a limited direction may not serve any purpose whatsoever. Alternatively, the Panel may decide that scope is not an issue for some aspects of the agreed detail, but is for others. For example, the Panel may hold that the narrative around water and wastewater added to the ODP is within scope, but that the identification of the indicative stormwater facility on Danne Mora land is not.

- 10 The Council has not been able to confirm if the limited direction sought with respect to the North Halswell ODP will be confined to the detail agreed for inclusion by the relevant experts in caucusing. It is hoped that confirmation will be provided at the forthcoming pre-hearing meeting. Accordingly, if the Panel is minded to approve the limited direction sought, it is suggested that this be strictly confined to those matters which the Panel finds to be outside scope, if indeed such a finding is made.



G J Cleary
On behalf of Danne Mora Holdings Limited

14 August 2015