

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

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

**AND** the Christchurch Replacement District Plan

**SUBMITTER** **CANTERBURY EARTHQUAKE RECOVERY AUTHORITY  
FOR AND ON BEHALF OF THE CROWN**  
(Submitter 495)

---

**MEMORANDUM OF COUNSEL FOR THE CROWN REQUESTING ADDITIONAL  
MATTERS BE ADDED TO CHRISTCHURCH CITY COUNCIL'S STATEMENT OF  
ISSUES FOR THE (PART) SUBDIVISION, DEVELOPMENT AND  
EARTHWORKS PROPOSAL**

Dated: 27 February 2015

---

**BUDDLE FINDLAY**  
NEW ZEALAND LAWYERS  
Barristers and Solicitors  
Christchurch

Solicitor Acting: **Cedric Carranceja / Jenna Silcock**  
Email: [cedric.carranceja@buddlefindlay.com](mailto:cedric.carranceja@buddlefindlay.com) / [jenna.silcock@buddlefindlay.com](mailto:jenna.silcock@buddlefindlay.com)  
Tel 64 3 3791 747 Fax 64 3 3795 659 PO Box 322 DX WX11135 Christchurch 8140

Counsel Acting: **Paul Radich QC**  
Tel 64 4 974 5951 Fax 64 4 974 5955 PO Box 10731 Wellington

## **MAY IT PLEASE THE HEARINGS PANEL:**

1. This memorandum is filed on behalf of the Crown in response to the statement of issues filed by Christchurch City Council ("**Council**") on 25 February 2015 in respect of the (Part) Subdivision, Development and Earthworks Proposal ("**Proposal**").
2. The Crown has identified further matters which it considers should be included as part of the statement of issues for the Proposal. These matters include two new topics and amendments to Topic 6 "*Scope of assessment matters / implied third party approvals*"<sup>1</sup>.

### **Additional topics and issues**

3. The new topics the Crown considers should be included in the statement of issues are as follows:

#### **Appropriateness and clarity of direction in the objectives and policies**

**Issue 1:** The consistency of the objectives and policies in the Proposal with the relevant objectives in the Strategic Directions Chapter (Chapter 3).

**Issue 2:** Are the objectives and policies in the Proposal appropriate and clearly expressed?

#### **Integration of subdivision and development with infrastructure**

**Issue 1:** Whether the provisions adequately accommodate integration of sustainable/resilient infrastructure with new development (particularly in regard to connections with transport networks and provision for low impact "soft" stormwater management solutions).

### **Amendments to Topic 6**

4. The Crown respectfully suggests that Topic 6 in the Council's statement of issues should be amended as set out below. Additions and deletions are shown in underline and strike through text respectively.

~~Scope of a~~Assessment matters and matters for discretion ~~/implied third party approvals~~

---

<sup>1</sup> Page 3 of the Council's statement of issues.

**Issue 6:** Whether the assessment matters and matters for discretion, including ~~is~~ the scope of topics covered, are ~~by assessment matters in Clause 8.5~~ appropriate?

**New issue:** Whether the assessment matters and matters for discretion are clearly expressed?

**Issue 78:** Do some of the assessment matters and matters of discretion imply that approval may be required from a third party?

**Directions sought**

5. Counsel respectfully seeks a direction that the above matters be added to the Council's statement of issues for the Proposal.

Dated 27 February 2015

Two handwritten signatures in blue ink. The signature on the left is 'C Carranceja' and the signature on the right is 'J Silcock'.

---

**C Carranceja / J Silcock**  
Counsel for the Crown