

IN THE MATTER OF the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014

AND

IN THE MATTER OF decisions on a late submission pursuant to Clause 3(1)(e) of Schedule 2 and Clause 5 of Schedule 3 to the Order

Date: 10 March 2016

RECORD OF DECISION

[1] We have received an application for leave to lodge a late Further Submission by Donald Maginness in relation to Stage 3 Chapter 9 Natural and Cultural Heritage, Topic 9.4, Schedule of Significant Trees.¹ Mr Maginness has just been made aware that in response to a submission by the Christchurch Civic Trust (3700), and other aligned submissions H Lowe (3618) and B Cadwallander (3618) (Original Submissions), some 800 trees that had not been notified in Appendix 9.4.5.1 were rescheduled as significant trees, and amongst those is an English Oak Tree located on Mr Maginness's property.

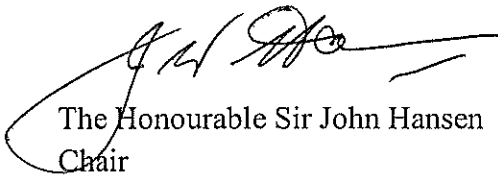
[2] Mr Maginness opposes the Christchurch Civic Trust submission and seeks that the Council's original decision to delist the trees should be confirmed.

[3] Although the request to make late further submissions is very late, because the Christchurch Civic Trust submission directly affects the property of Mr Maginness and he has not received any notice of the change in position by the Council, or of the request by the original submissions (until he contacted the Council with a query regarding the CRDP process) I have concluded that in the interests of fairness that the time for making a further submission should be waived and leave granted accordingly.

¹ Application by Donald Maginness for leave to lodge a late further submission dated 2 March 2016.

[4] I order as follows:

- (a) The time for filing further submissions Donald Maginness is waived.
- (b) If Mr Maginness has not already done so he is to serve his late submission on Christchurch Civic Trust.
- (c) The Council is to serve a copy of this decision on Christchurch Civic Trust.
- (d) The Council is to update the submissions database.



The Honourable Sir John Hansen
Chair