

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: 23 October 2015

RECORD OF DECISION

Background

1. The Council received identical late submissions from Josephine Lohrey, Dennis Harwood and two of Dennis Harwood's associated companies, Westminster Trustee Services Ltd and NZ Cashflow Control Ltd. The late submissions all relate to the proposals contained in Chapter 9 Natural and Cultural Heritage. In particular, the late submissions oppose the position of the mapping boundary overlay for Provision 9.1 Indigenous Biodiversity and Ecosystems and Provision 9.2 Outstanding Natural Features and Landscapes, Significant Features and Landscapes and Areas of Natural Character in the Coastal Environment.
2. The closing date for lodging submissions on Stage 3 was 4 September 2015 and further submissions on 2 October 2015. Mr Harwood explained that his submissions were late due to serious illness and further that he was waiting on a report from Dr Antony Shadbolt, a Council landscape architect. The Council has confirmed that Mr Shadbolt was actively engaged in relation to the alignment of a relevant boundary and the Council has subsequently made a submission seeking an amendment to the planning map to correct the alignment. Dennis Harwood has some association with Josephine Lohrey and the same explanation for lateness applies.
3. Clause 5 of Schedule 3 of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 ('OIC') provides that the Chairperson of the Hearings Panel may extend or

waive compliance with any time limits specified by or under the OIC, except in relation to the time limit specified in Clause 12(2) which relates to completing the Panel's obligation under the OIC. Clause 5 also states that the Chairperson of the Panel may accept submissions received after the relevant closing date notified under clause 5 or 7 of Schedule 1.

4. The Hearing on Chapter 9 Natural and Cultural Heritage is to be scheduled for early next year so there is unlikely to be any prejudice to any person by receiving the submission out of time. A pre hearing meeting is scheduled for Chapter 9 Natural and Cultural Heritage at 4pm on Wednesday 28 October 2015. Notice of the pre hearing meeting is available on the Panel's website¹ and it would be appropriate for the Josephine Lohrey, Dennis Harwood and his associated companies to attend or have a representative attend.

5. The Hearings Panel has made available a Friend of Submitter, Mr Richard Ball to assist submitters in understanding the hearings process. Mr Ball's contact details are available on the Hearing Panels website.

Decision

6. The late submissions from Josephine Lohrey, Dennis Harwood, Westminster Trustee Services Ltd and NZ Cashflow Control Ltd referred to me are accepted.

7. I direct:

(a) The Christchurch City Council is to publicly notify the late submissions from Josephine Lohrey, Dennis Harwood, Westminster Trustee Services Ltd and NZ Cashflow Control Ltd in accordance with the OIC.

(b) The Council is to serve a copy of this decision on Josephine Lohrey, Dennis Harwood, Westminster Trustee Services Ltd and NZ Cashflow Control Ltd.

Environment Judge John Hassan



For and on behalf of
The Honourable Sir John Hansen
Chair

¹ www.chchplan.ihp.govt.nz