

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
cl 3(1)(e) of Schedule 2 and cl 5
of Schedule 3 to the Order

Date: 21 June 2016

RECORD OF DECISION

[1] The Independent Secretariat received a number of applications to lodge late submissions¹ and further submissions on the Residential Medium Density proposal as it relates to Papanui. The requests to waive the time for making a further submission are set out below:

- (a) Dr Camilla Cockerton in support of a number of submissions relating to Papanui including Rayburn Avenue.² Dr Cockerton refers to personal family matters that contributed to her submission being late.
- (b) Paul and Linda Scott, a resident of St James Avenue, Papanui is opposed to the RMD proposal and supports the submission of Margaret Howley (RMD130).³
- (c) The Honourable Gerry Brownlee MP, has made a further submission supporting the position of the residents in St James Avenue.⁴

¹ Initially a number of the 'late further submitters' lodged primary submissions, however given the imminent hearing date and following discussions with the Friend of Submitters, those people elected to request to make 'late further submissions' in support of other primary submitters.

² Email from Camilla Cockerton to the Council, Tuesday 14 June 2.49pm. and 9.30pm

³ Further submission form and correspondence dated 17 and 14 June 2016.

⁴ Further submission form dated 16 June 2016

- (d) Mr Willem Cornelis van den Ende, as ‘lead submitter’ on behalf of a further 20 residents of St James Avenue, who have collectively asked to be heard in support of the submission of Margaret Howley (RMD 130), opposing the RMD zone proposal for Papanui.⁵
- (e) Mr Nigel Hampton QC requests to make a late further submission in support of Ms Howley’s submission (RMD130).⁶
- (f) Ms Linda Hodgen a resident of Rayburn Avenue opposes the RMD proposal for Papanui and supports Ms Howley’s submission (RMD130).⁷

[2] I note that the hearing for this proposal is due to commence on 4 July 2016. We have already issued directions for the filing of evidence and notice of hearing has issued. Submitters were required to file evidence last week. We have allowed a number of late submissions on this proposal from residents in the Papanui area, who have raised similar issues to all of the late further submitters referred to above.

[3] The requests for a waiver of time to lodge a further submission are very late, however view of the fact there are a number of submitters who raise similar concerns and that they have indicated a willingness to work together, I am prepared to grant a waiver of the time for making further submissions. In order to avoid undue repetition at the hearing. I strongly encourage this group of further submitters, to the extent that their interests align, to work together and allocate one or two people to speak on their behalf. I note that the Hearings Panel has powers under the Order in Council to make formal directions of this nature if necessary.⁸

[4] I order as follows:

- (a) The time for filing a further submission is waived in relation to the late further submitters listed in [1](a)-(f) above.


⁵ Further submission form dated 18 June 2016.

⁶ Further submission form dated 15 June 2016

⁷ Further submission form dated 21 June 2016

⁸ OIC, Schedule 3, cl 6(c)

- (b) Leave is granted for the late further submitters listed at [1] (a) to (f) to call evidence and/or to make a statement in support of their further submission, provided that any evidence is served on the Council and other submitters by 12pm on Monday 27 June 2016.⁹
- (c) Leave is reserved for the Council or any affected primary submitter to file any rebuttal evidence by 12pm Thursday 30 June 2016.
- (d) In all other respects the late further submitters must comply with the Hearings Panel's directions already made.¹⁰
- (e) The Council is to serve a copy of this decision on the late further submitters.
- (f) The Council is to update the submission data base.



The Honourable Sir John Hansen
Chair

⁹ Provided the evidence is received by the Independent Secretariat before 12pm on the day it is due, so as to enable it to be posted on the Hearings Panel website, then parties may rely on the website for service. Service remains the responsibility of the submitter.

¹⁰ Pre Hearing Report and Directions dated 3 May 2016, available on the Hearings Panel Website www.chchplan.ihp.govt.nz.