

**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**

**IN THE MATTER** of the proposed  
Christchurch  
Replacement District  
Plan

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**MEMORANDUM OF COUNSEL ON BEHALF OF CHRISTCHURCH CITY COUNCIL  
RESPONDING TO MINUTE OF 28 SEPTEMBER 2015**

**30 SEPTEMBER 2015**

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**MAY IT PLEASE THE PANEL:**

1. This memorandum of counsel is filed on behalf of the Christchurch City Council (**Council**) in response to the Minute re an application for directions by the Christchurch City Council re deferral of submissions relating to Appendices to Chapters 8, 15 and 16 notified in Stage 1, dated 28 September 2015 (**the Minute**). The Minute responded to a memorandum filed on behalf of the Council dated 24 September 2015 regarding Stage 1 appendices inadvertently left open to submission in Stages 2 and 3 (**the Memorandum**).

**Timetable regarding commercial/industrial provisions**

2. At paragraph [12] of the Minute, the Panel directed the Council to prepare a procedural timetable for its consideration to provide Stage 1 submitters the opportunity to participate in the Commercial/Industrial hearing (noting that the dates in which the Panel could extend the hearing are 19, 20 (am) and 22 October 2015). The Council proposes the following timetable:
  - 2.1 Any Stage 1 submitter on Appendices 15.9.4, 15.9.10, 16.7.2, 16.7.11, 16.7.12 or 16.7.13 (**the Appendices**) who wishes to seek leave to cross examine Stage 2 evidence on the Appendices must seek leave do so by **12pm 2 October 2015**;
  - 2.2 Any Stage 1 submitter on the Appendices who wishes to present rebuttal evidence in reply to evidence prepared on the affected provisions is to provide that evidence by **5pm 9 October 2015**;
  - 2.3 Any response to rebuttal evidence called by a Stage 1 submitters is to be provided by **5pm 15 October 2015**; and
  - 2.4 Additional hearing day to consider the further evidence prepared regarding the Appendices **19 October 2015**.

## Commercial Appendices

3. In the Memorandum the Council identified Appendices 16.7.11 - 16.7.13 as being re-notified in Stage 2. We have now been instructed that these Appendices were not in fact notified in Stage 1, and therefore the submissions made on those outline development plans will already be considered as part of the Stage 2 hearing.
4. We also record that footnote 5 of the Memorandum refers to the Corston submission (#2440.1) on Appendix 16.7.2. This was a coding error and the Corstons' submission was in fact on Appendix 16.7.12. As there were no other Stage 2 submissions received on Appendix 16.7.2, the Council submits that leaving Appendix 16.7.2 open for submission in Stage 2 will not impact on the Panel's decision making because there are no relevant submissions for the Panel to consider.

## Timetable regarding subdivision provisions

5. At paragraph [13] of the Minute the Panel directed the Council to draft a timetable to accommodate Stage 1 submitters on Appendix 8.6.6 at the Subdivision Stage 2 hearing. The Council proposes that any Stage 1 submitter on Appendix 8.6.6 who wishes to appear at the Stage 2 subdivision hearing may do so in accordance with the timetable already in place for that hearing. The timetable for the Stage 2 subdivision hearing is as follows:

- 5.1 Council's evidence in chief due **5 October 2015**;
- 5.2 Submitter evidence in chief (including any Stage 1 submitters on Appendix 8.6.6) due **14 October 2015**;
- 5.3 Rebuttal evidence due **21 October 2015**;
- 5.4 Notice seeking leave to cross examine witnesses due **27 October 2015**;
- 5.5 Hearing starts **2 November 2015**.

## **Service of the Minute and Memorandum**

6. As directed in paragraph [14] of the Minute, the Council served copies of the Minute and the Memorandum on the submitters on the affected provisions who advised they wished to be heard by email and post (where the submitter has not provided an email address as an address for service) on 29 September 2015.

## **Stage 3 submissions**

7. The Council advises that it has not received any Stage 3 submissions on the appendices that were inadvertently left open for submission in Stage 3. Therefore, the Council does not anticipate that any further submissions will be received on those appendices. If further submissions are received, then the Council will advise the relevant submitters that their submission is out of scope (in accordance with paragraph [15] of the Memorandum).

**DATED** this 30<sup>th</sup> day of September 2015



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Counsel for Christchurch City Council