

**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 Stage 3 Natural Hazards  
Proposal (part)

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**UPDATED MEMORANDUM OF COUNSEL FOR CHRISTCHURCH CITY  
COUNCIL SEEKING TIMETABLE CHANGES FOR THE STAGE 3 NATURAL  
HAZARDS PROPOSAL**

**19 NOVEMBER 2015**

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## **MAY IT PLEASE THE PANEL**

1. This memorandum is filed on behalf of the Christchurch City Council (**Council**), regarding the hearing directions and timetable issued by the Hearing Panel dated 3 November 2015.
2. The purpose of this memorandum is to apply for amended directions in respect of:
  - (a) the date for the Council filing its amended/red-lined version of the proposal (currently scheduled for 24 November 2015); and
  - (b) the proposed mediation dates (currently scheduled for 15 and 16 December 2015).
3. The reasons for the amended directions are addressed in further detail below.

### **Change in lead planner**

4. The Council had previously advised the panel and parties that its lead planner for this proposal would be Ms Fiona Eunson. It has only recently been confirmed that Ms Eunson is however no longer available to perform this role, and there are no other officers within the Council who have the capacity to take it over at short notice.
5. The Council has therefore engaged Ms Ruth Evans of Harrison Grierson Limited, who will take on the lead planner role in respect of this proposal.
6. Ms Evans has however been closely involved in the Residential New Neighbourhood proposal for the Council (including involvement conferencing and mediations), and will require time to familiarise herself with the proposal and the key issues such that she is in a position to satisfy herself that the red-lined version which is to be filed is the most appropriate proposal from her professional perspective.

7. In addition, Ms Evans has commitments that cannot be moved on 16 December 2015, when one of the mediation days has been scheduled.

#### **Amended directions sought**

8. The Council therefore seeks that the Panel change the dates identified in paragraph 2 above, as follows:
  - (a) the date for the Council filing its amended/red-lined version of the proposal to be **Tuesday 1 December 2015**; and
  - (b) the proposed mediation dates be moved to **14 and 15 December 2015**.

#### **Consequences of the amended directions and potential prejudice**

9. Given the withdrawal of the coastal hazards aspects of the proposal, the focus of the stage 3 Natural Hazards proposal is submitted to be relatively confined, as evidenced by the Council's updated Statement of Issues dated 4 November 2015.
10. It is submitted that there is unlikely to be significant prejudice to any party from changing the date for the circulation of the red-lined version to 27 November 2015, in that most of the issues of contention are likely to revolve around location of hazard lines on maps and whether individual properties should be "in" or "out". In addition, only a limited number of parties have given an indication that they intend to call expert witnesses.
11. As such, it is considered that the scheduled expert witness conferencing on 3 and 4 December 2015 will not be compromised by the delay in filing the red-lined version of the proposal.
12. Bringing forward the mediation by a day is also unlikely to compromise that process as it does not appear to clash with timetables and procedural steps for other proposals before the Panel.

- 13.** While the request to change the scheduled dates for this proposal does not appear to be a matter to which clause 5 of Schedule 3 of the Order in Council expressly applies, it is a useful consideration for present purposes. In that respect, it submitted that:
- (a) the interests of people/submitters who may be directly affected by the changes are unlikely to be prejudiced, for the reasons set out above;
  - (b) the change to the date for submitting the red-lined version of the proposal is likely to assist with the adequate assessment of the effects anticipated from the implementation of the proposal, in that a more carefully considered revised Council proposal is likely to be the result; and
  - (c) the Hearing Panel's ability to carry out its business will not be imperilled as no other changes to the existing timetable are sought.
- 14.** This memorandum will be served upon all submitters on this proposal.

**DATED** this 19th day of November 2015



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J G A Winchester  
Counsel for Christchurch City Council