

**BEFORE THE CHRISTCHURCH REPLACEMENT  
DISTRICT PLAN INDEPENDENT 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 Christchurch  
Replacement Deposited Plan

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**AFFIDAVIT OF SERVICE OF ALICE OLIVIA JANE SINCLAIR**

**Affirmed *6<sup>th</sup>* August 2015**

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I, **ALICE OLIVIA JANE SINCLAIR** of Christchurch, Solicitor, affirm:

1. Between 9 April 2015 and 1 May 2015, I served the Stage 1 submitters who were out of scope (**out of scope submitters**) with the following:
  - (a) Application for directions on behalf of Christchurch City Council relating to making of submissions on future stages of the District Plan review process dated 26 March 2015; and
  - (b) Hearing Panel's directions to Christchurch City Council and Stage 1 Submitters regarding Stage 2 and 3 dated 1 April 2015,

(together, **Documents**).
2. Annexed and marked "**A**" is a list of the out of scope submitters that I have served the Documents on.
3. I took the following steps to effect service of the Documents on the out of scope submitters:
  - (a) On 9 April 2015, I emailed the Documents to a group of Stage 1 submitters (**Email 1**). This group included some of the submitters from Stage 1 whose submissions were out of scope, but accidentally omitted others. This group also incorrectly included some submitters that were not out of scope. Annexed and marked "**B**" is a copy of Email 1.
  - (b) Following service of this email, the Independent Secretariat raised concerns that all of the relevant submitters may not have been served. Therefore I liaised with Christchurch City Council to cross check the service list.
  - (c) On 14 April 2015, it came to my attention that the service list I had used did not contain all of the Stage 1 further submitters whose submissions were out of scope. Therefore, having identified those further submitters, I forwarded a copy of Email 1 to them (**Email 2**). Annexed and marked "**C**" is a copy of Email 2.
  - (d) On 14 April 2015, I also emailed a retraction to some of the recipients of Email 1 (**Email 3**). I emailed this retraction to submitters that Christchurch City Council believed were not out of scope submitters but had been incorrectly sent Email 1. Annexed and marked "**D**" is a copy of Email 3.



- (e) Following this, on 16 April 2015, I sent the Independent Secretariat an email attaching a comprehensive list of the submitters who had been served by me to date (including taking into account the retraction via Email 3). Annexed and marked "E" is a copy of this email. I then had further discussions and correspondence with the Independent Secretariat at this stage, and again concerns were raised that the correct submitters had not been served.
- (f) The Independent Secretariat then carried out an audit between the list I had provided with the database details at the Independent Secretariat end. On 30 April 2015, Samantha Kelly of the Independent Secretariat provided me with a list of additional submitters who needed to be served with the documents. Annexed and marked "F" is a copy of this email
- (g) Based on the list provided by Ms Kelly, on 1 May 2015, I sent a further email to some of the recipients of Email 3. I emailed the Documents to submitters that Christchurch City Council previously believed had been incorrectly sent Email 1. These submitters had therefore been sent the retraction in Email 3. Upon review, these submitters were in fact out of scope submitters. Annexed and marked "G" is a copy of this email.
- (h) Based on the list provided by Ms Kelly, on 1 May 2015, I also emailed the Documents to a group of out of scope submitters that were omitted from Email 1. Annexed and marked "H" is a copy of this email.
4. Following the steps above, I believe that I have now served the Documents on all of the Stage 1 out of scope submitters.
5. As per the direction of the Hearings Panel dated 30 July 2015, I have now compared the list of Stage 1 out of scope submitters in Exhibit A to see whether they have made a Stage 2 submission. The results of that comparison are annexed and marked "I". Where a Stage 2 submission has been made, the Stage 2 submission number has been inserted in the relevant column.
6. Given that submitters have not always used the same submitter name or address for service between the two stages, it has not always been possible to conclusively determine whether the Stage 1 submitter did in fact make a Stage 2 submission. In those situations I have made an appropriate comment in the relevant column.

7. I have also carried out the comparison for the list of submitters annexed as Exhibit A to the affidavit of **MARK DENNY LESLIE** dated 3 August 2015. The results of that comparison are annexed and marked "J". The situation described in paragraph 6 above did not arise when carrying out this comparison.
8. For both comparisons at exhibits I and J, I have not:
- (a) checked the content of the Stage 2 submission against that of the Stage 1 submission (ie I have not checked whether the Stage 2 submission addresses the earlier out of scope submission from Stage 1); and
  - (b) cross compared with Stage 3 submissions as they have not yet closed and a complete list has not yet be published.

**Signature of deponent:**

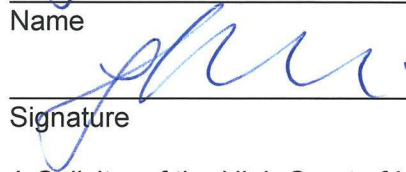


A O J Sinclair

**AFFIRMED** at *Christchurch* on *4<sup>th</sup>* August 2015  
Before me:



Name



Signature

**Jordan Leigh Hopkins**  
**Solicitor**  
**Christchurch**

A Solicitor of the High Court of New Zealand