

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: 15 March 2016

RECORD OF DECISION

[1] We have received an application for leave to lodge a late further submission by ICON (Inner City West Neighbourhood Association Inc) in support of a submission by Dyhrberg, James, Humphrey and Crighton (3688) relating to Chapter 13 Central City proposal.¹ ICON are already a submitter on Chapter 9 Natural and Cultural Heritage (Submission 3607) but have noted that their original submission was ‘not quite in the right format nor with sufficient detail’ and they seek to rectify that position in part by lodging a further submission which seeks specific detail around rules in the Chapter 13 Central City that would apply to ICON areas of interest.

[2] ICON is a residents group in the area of Central Christchurch bounded by Rolleston Avenue, Park Terrace, Bealey Avenue, Victoria Street, Durham Street North and Cambridge Terrace. ICON’s submission (3607) relates to the heritage values and character of the area surrounding the Arts’ Centre, the Art Gallery, Canterbury Museum, the Botanic Gardens and Christ’s College. Submission (3688) on the other hand relates primarily to the area bounded by Madras Street, Chester Street East, Barbados Street, and Armagh Street that is within the Central City Residential Zone, known as the ‘the Inner City East area’.

¹ Request to lodge a late further submission by ICON dated 4 March 2016.

[3] ICON notes the ‘hearing’ has been adjourned. It is not immediately clear whether they are referring to the hearing on Chapter 9 Natural and Cultural Heritage or Chapter 13 Central City. In any event both have been adjourned. In the case of Chapter 9 we have issued further directions to the parties regarding further mediation.² Chapter 13 has been adjourned, in part to enable late further submissions to be heard by persons who were directly affected by Submission (3688) as it related to their private properties in the Chester Street East area, and for closing submissions to be made. ICON did not take part in the Chapter 9 hearing, although I understand they did attend mediation. I understand from ICON’s communications with the Secretariat that the lateness of the further submission, is in part due to the fact that members of ICON were overwhelmed by the process and also their membership has in part been displaced by the earthquakes.

[4] Clause 3(1) (e) of Schedule 2 and Clause 5 of Schedule 3 to the Order sets out the matters relevant to an application to waive the time for filing of submissions. In this particular situation I find that the application to make a late further submission, if accepted, would extend the relief sought by submitter (3688) to a different area of the Central City. Clause 8(2) of Schedule 1 to the OIC limits further submissions to supporting or objecting to the relief of the original submission. This raises the real possibility that the interests of submitters or land owners, who may be affected by ICON’s submission, may not been made aware that the changes now being requested, could apply to this location. Those people would not now have the opportunity to be heard in response to ICON’s request due to the very late stage of the hearing process. I decline the request to waive the time for filing a late further submission accordingly.

[5] Although I decline the request to lodge a late further submission, I note that ICON’s submission on Chapter 9 Natural and Cultural Heritage does not clearly state what changes they are seeking to the proposed Christchurch Replacement District Plan (pCRDP). Although ICON could have attended the Natural and Cultural Heritage hearing and clarified their position at that time, they have not chosen to do so. It is now too late for ICON to prepare evidence, however, it would assist the Hearings Panel if ICON could lodge with the Secretariat a written statement from a member of the group outlining the specific changes they are seeking to the pCRDP. The submitter statement should also provide full details of the membership of their organisation and the author of the statement should confirm the authority to make the statement

² Available on the Hearing Panel Website www.chchplan.ihp.govt.nz

on behalf of ICON. I direct that ICON lodge a submitter statement addressing those matters with the Secretariat, and serve a copy on the Council within 5 working days. The Friend of Submitter, Mr Richard Ball is available to assist with the correct format of the statement if need be.



The Honourable Sir John Hansen
Chair