

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 September 2015

RECORD OF DECISION

1. The Council received the following five late submissions on Stage 3 Proposals:
 - (a) Avon Loop Planning Association (ALPA) in relation to Proposal 13 Central City, received on 6 September 2015;
 - (b) Ms Leone Stewart in relation to Planning Maps 31 and H8 (Floor Level and Fill Management Areas), received on 14 September 2015;
 - (c) Mr Aaron Scott in relation to flood hazard rules 5.8 and Planning Map 45, received on 7 September 2015;
 - (d) Dr Cynthia Hawes and Dr Andy Buchanan, in relation to notable trees in Appendix 9.4.5.1, received on 7 September 2015; and
 - (e) Mr James Koh in relation to Planning Maps 11 and RD 2 and provision 5.8.7, Floor Level and Fill Management Areas, received on 16 September 2015.

2. The closing date for lodging submissions was 4 September 2015. The late submitters have all provided explanations for their lateness, which are primarily due to having not received or seen any public notice of the provisions¹ or being unaware of their significance until seeking advice on other matters.²

¹ In the case of Mr Scott, Dr Hawes and Dr Buchanan and Mr Koh.

² In the case of Ms Stewart.

3. In the case of the ALPA, the Secretary, Ms Cilla Clements, made an error in assuming the closing date was 7 September 2015. I note that Ms Clements refers to her own personal property issues as motivating the ALPA submission.³ Although the submission is made in the name of the ALPA it is unclear as to whether or not it is on behalf of the ALPA or Ms Clements. When the ALPA makes representations and/or presents evidence at the Proposal 13 hearing the ALPA should provide evidence as to its membership, and a copy of any resolution from the ALPA authorising the filing of the submission on its behalf.

4. Clause 5 of Schedule 3 of the Order provides that the Chairperson of the Hearings Panel may extend or waive compliance with any time limits specified by or under this Order, except in relation to the time limit specified in Clause 12(2) which relates to completing the Panel's obligation under the OIC. Clause 5 also states that the Chairperson of the Panel may accept submissions received after the relevant closing date notified under clause 5 or 7 of Schedule 1.

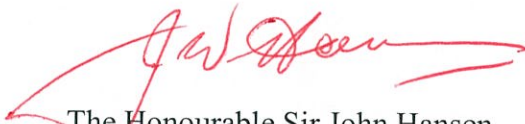
5. All five submissions will need to be notified to enable the opportunity for further submissions to be made. There is sufficient time to enable that step to be undertaken so there is unlikely to be any prejudice to any person in allowing the late submission.

6. The time frame for lodging submissions is waived in the case of the Avon Loop Planning Association, Ms Leone Stewart, Mr Aaron Scott, Dr Cynthia Hawes and Dr Andy Buchanan and Mr James Koh. The receipt of the same are accepted.

7. Accordingly it is so ordered:

(a) The Christchurch City Council is directed to publicly notify the late submissions in accordance with the OIC;

(b) The Council is to serve a copy of this decision on the late submitters.



The Honourable Sir John Hansen
Chair

³ Email from Ms Clements dated 18 September 2015 at 11.48am.