

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
cl 3(1)(e) of Schedule 2 and
cl 5 of Schedule 3 to the Order

Date: 8 July 2015

RECORD OF DECISION

Background

[1] The Council received a late submission from Harvey Norman Stores (NZ) Pty Ltd ('Harvey Norman') on 6 July 2015. The submission form is dated 19 May 2015, however it appears the submission was inadvertently sent to the incorrect email address and the 'delivery failure' alert was not actioned by the submitter's agent within time. It was not until the Council notified the submissions that were received on Stage 2 that the submitter became aware of the fact the submission was not lodged within time.

[2] 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 cl 12(2) which relates to completing the Panel's obligation under the Order. Clause 5 also states that the Chairperson of the Panel may accept submissions received after the relevant closing date notified under cls 5 or 7 of Schedule 1.

Statutory considerations

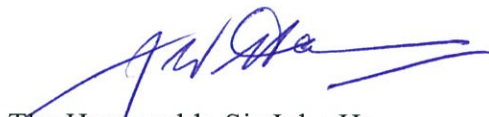
[3] We have addressed the statutory considerations in earlier decisions on late submissions. The same considerations apply here.¹

Decision

[4] The late submission from Harvey Norman referred to me for determination is accepted.

[5] Accordingly it is so ordered:

- (a) The Christchurch City Council is directed to publicly notify the late submission in accordance with the Order.
- (b) The Council is to serve a copy of this decision on the late submitter.



The Honourable Sir John Hansen
Chair

¹ Dated 3 July 2015.