

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: 5 October 2015

RECORD OF DECISION

Background

1. The Council has referred the following requests to accept submissions and further submissions out of time.
 - (a) The Christchurch Gondola Limited ('TCGL') has made a late submission on Stage 3 Chapter 9 Natural and Cultural Heritage, received on 2 October 2015. TCGL has made an application to waive the time frame for lodging a submission on the grounds that no person is prejudiced by the late filing, given that Stage 3 hearing matters have yet to be heard. The submission was filed late due to an administrative error.
 - (b) The Canterbury District Health Board filed a late further submission in relation to various submissions lodged on Chapter 21 Specific Purpose (Hospital) zone and Chapter 13 Central City. The submissions was late because of a computer shutdown at the CDHB on the close off date for further submissions.
 - (c) Christ's College and G and J Mc Vicar ('Christ's College and McVicar'), filed a submission on Stage 3 in time (3677) but seek to amend their submission by way of a supplementary submission because submission 3677 did not refer to the particular provisions that the submission related to in Chapter 8 Subdivision and Earthworks.

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 Clause 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 clause 5 or 7 of Schedule 1.

3. I do not consider any person would be prejudiced by waiver of the time for lodging the submission from TCGL nor the amendment to the Christ's College McVicar submission. There is sufficient time for the submissions to be notified and for the opportunity for further submissions before the hearing Stage 3 provisions. TCGL has already lodged a submission on Stage 2 Open Space and accepting the late submission point will assist with ensuring there is an adequate assessment of effects anticipated by the implementation of Proposal 18 Open Space and 9 Natural and Cultural Heritage as they relate to TCGL activities. Christ's College and McVicar are already a submitter and the further particulars will also assist in understanding their submission.

4. In relation to the late further submission from CDHB, the submission is only just out of time and acceptance of it will not have any adverse impact on the hearing time table.

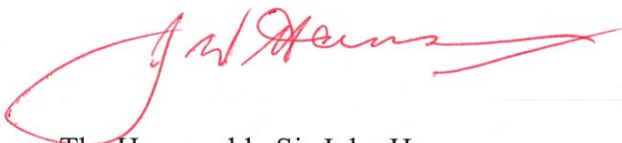
Decision

5. The applications for waiver of time to file late submissions by TCGL and Christ's College McVicar are accepted. Accordingly it is so ordered that;

(a) The Council is to publicly notify the late submissions in accordance with the OIC, including allowing for further submissions on the submission points.

(b) The Council is to provide the Independent Secretariat with a list of further submitter details within two working days of further submissions closing.

6. The application for waiver of time to file a late further submission by CDHB is accepted and the Council is to update the submissions database accordingly.



The Honourable Sir John Hansen
Chair