

**BEFORE THE CHRISTCHURCH REPLACEMENT
DISTRICT PLAN 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 Chapter 21 (Stage 3)
Specific Purpose Zone
(Ruapuna) Proposal of
the proposed
Christchurch
Replacement District
Plan

**MEMORANDUM OF COUNSEL IN RELATION TO A TIMETABLE TOWARDS A
HEARING FOR THE SPECIFIC PURPOSE ZONE (RUAPUNA) PROPOSAL**

5 APRIL 2016

 **Simpson Grierson**
Barristers & Solicitors

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MAY IT PLEASE THE PANEL:

1. Following the release of the Environment Court's final decision for Plan Change 52,¹ the Council has had several discussions with the Secretariat about availability for mediation and a hearing of Specific Purpose Zone (Ruapuna) Proposal. The Council has also consulted with the two submitters who have indicated they wish to be heard in relation to this proposal.
2. The Council understands that there may be availability for mediation on Monday 11 April 2016 with Commissioner Mills. The parties are available on that day, however it would be appreciated if mediation could commence as early as reasonably possible to accommodate one of the submitter's counsel's prior arrangements on Monday afternoon.
3. In relation to the hearing, the Council understands that there is availability on 2 May 2016 and during the week of 23 May 2016. The Council, with support from the submitters, respectfully requests that the Proposal be allocated the later hearing date for the following reasons.
4. There is now less than four weeks before 2 May 2016 to prepare a revised proposal, hold mediation (and any further discussions, as necessary) exchange evidence in chief and rebuttal evidence, and prepare legal submissions. The Council considers that a timetable based on a hearing on 23 May 2016 would:
 - (a) provide a better opportunity for joint positions to be explored, if a full agreement cannot be reached at mediation; and
 - (b) give the parties the best opportunity, in the circumstances, to prepare evidence and submissions which are most helpful to the Panel.
5. The Council remains hopeful that an agreement (or partial agreement) will be able to be reached at mediation or through any informal discussions which may follow mediation.

¹ Quieter Please (Templeton) Inc v Christchurch City Council [2016] NZEnvC 044.

6. We also note that the Council's planner for this proposal is unavailable between 18 and 22 April 2016 for medical reasons.
7. If a hearing during the week of 23 May were to be allocated, the Council respectfully suggests the following timetable:
 - (a) a revised proposal to be filed and served by **midday Friday 8 April 2016**;
 - (b) facilitated mediation to take place on **Monday 11 April 2016**;
 - (c) the Council's evidence in chief to be filed and served by **5 pm 28 April 2016**;
 - (d) submitters' evidence in chief to be filed and served by **5 pm 9 May 2016**;
 - (e) any rebuttal to be filed and served by **5 pm 13 May 2016**;
 - (f) cross examination applications to be filed and served by **5 pm 16 May 2016**;
 - (g) a one day hearing during the week of **23 May 2016**.
8. The Council will make resources available to meet a hearing on 2 May 2016, if that is the Panel's preference. If a 2 May hearing date is to be scheduled, the Council respectfully suggests the following timetable:
 - (a) a revised proposal to be filed and served by **midday Friday 8 April 2016**;
 - (b) facilitated mediation to take place on **Monday 11 April 2016**;
 - (c) the Council's evidence in chief to be filed and served by **5 pm 15 April 2016**;
 - (d) submitters' evidence in chief to be filed and served by **5 pm 21 April 2016**;

- (e) any rebuttal to be filed and served by **5 pm 27 April 2016**;
- (f) cross examination applications to be filed and served by **midday 28 April 2016**; and
- (g) a one day hearing on **2 May 2016**.

DATED 5 April 2016

A handwritten signature in blue ink, appearing to read 'Harwood', is centered on a light blue rectangular background.

M G Conway / H P Harwood
Counsel for Christchurch City Council