

**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 the Specific
Purpose (Flat Land
Recovery) Zone Stage
3 Proposal

**CHRISTCHURCH CITY COUNCIL'S REPLY TO E-MAIL FROM JAN AND GARY
SHARLICK REGARDING EXTENSION OF THE TIMEFRAME FOR MAKING OF
SUBMISSIONS ON THE SPECIFIC PURPOSE (FLAT LAND) ZONE**

4 SEPTEMBER 2015

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MAY IT PLEASE THE PANEL:

1. On 3 September 2015, the Deputy Chair directed the Council to respond to Ms Jan Burney and Mr Gary Sharlick's email¹ requesting an extension to the timeframe for filing submissions on the provisions in the Specific Purpose (Flat Land Recovery) Zone (**Flat Land Recovery Zone**), located at 21.11 of the proposed Replacement District Plan. The Council's response is made on the basis that the email is a request for the Panel to exercise its discretion to extend a time limit under clause 5 of Schedule 3 of the Order in Council.
2. The Council made an application for extension for the closing date for submissions on the coastal hazard aspects of the Stage 3 Natural Hazards Proposal (part) and all of the Coastal Environments Proposal.² However, for the reasons set out in this memorandum and also in the Affidavit of Mr Michael Theelen dated 2 September 2015, the Council considers that the circumstances pertaining to the coastal hazard provisions are different to the Flat Land Recovery Zone. Therefore the Council does not support Ms Burney and Mr Sharlick's request for an extension to the Flat Land Recovery Zone submission period. Mr Theelen's affidavit is attached to this memorandum.
3. The Council appreciates that the tight timeframes associated with the process under the Order in Council (and indeed other planning processes) are challenging for many people without specialist advice. However these timeframes have been imposed on all parts of the process, and on each of the proposals submitted, and the Council considers that against that context insufficient time itself is not sufficient reason to justify an extension to the submission time frame.
4. The Council also considers that the provisions in the Flat Land Recovery Zone are no more complex than the bulk of the other zone proposals elsewhere in the proposed plan, and will not require the same level of scientific input as the coastal hazard provisions. Mr Theelen in his affidavit (at paragraph 7) confirms that, unlike the Coastal Hazards provisions, the provisions for the Flat Land Zone do not rely on complicated and detailed scientific understanding or interpretation. Instead, the provisions are based on planning principles and an intention to put limits around development in the zone while the Crown and

¹ Dated 31 August 2015.

² This Application was granted by the Chairperson on 2 September 2015.

Council decide the next steps (ie the consideration of the long term function and purpose of the land within the zone).

5. Other issues raised in Ms Jan Burney and Mr Gary Sharlick's email are the relevance of existing use rights, insurance and repair/rebuild matters arising from the earthquakes. These are matters being confronted by residents throughout Christchurch, and while Council is sympathetic to those concerns in general it does not consider them to be an exceptional characteristic particular to the Flat Land Recovery Zone.
6. Council is aware that the Crown "Residential Red Zone Offer Recovery Plan" process is currently underway and that property owners of vacant, insured commercial and uninsured properties in the residential red zone have until 10 December 2015 to decide whether to accept the offer. However, while this is a matter for some landowners to consider in conjunction with the provisions of the proposed Flat Land Recovery Zone, they are not considered to add a level of complexity that requires an extension to the submission period.
7. In summary, the Council considers there is not a similar need for additional time to understand the Flat Land Recovery provisions or the implications of other related processes in order to prepare informed submissions.
8. Before the Chairperson can grant an extension, he must take into account the matters listed in clause 5(2) of Schedule 3 of the Order in Council. The Council does not consider that Ms Burney and Mr Sharlick have identified exceptional circumstances or characteristics of the Flat Land Recovery provisions that warrant an extension to the timeframe for submissions, nor the need to ensure that there is an adequate assessment of the effects anticipated from the implementation of the proposal.

DATED 4 September 2015



J G Winchester / S J Scott / H P Harwood
Counsel for Christchurch City Council