

**BEFORE INDEPENDENT HEARING COMMISSIONERS
IN CHRISTCHURCH**

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHI

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Plan Change 14 (Housing and Business Choice) to the Christchurch District Plan

**MEMORANDUM OF COUNSEL FOR CHRISTCHURCH CITY COUNCIL
SEEKING LEAVE TO FILE CERTAIN SECTION 42A REPORT APPENDICES
LATE**

16 August 2023

BUDDLE FINDLAY

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MAY IT PLEASE THE INDEPENDENT HEARINGS PANEL:

1. This memorandum on behalf of the Christchurch City Council (**Council**) seeks leave to file certain appendices to the section 42A report of Mr Ian Bayliss late.
2. The Panel has issued timetabling directions in accordance with section 41B of the Act, which included directions for the Council to file its section 42A reports and other expert evidence on Friday 11 August.¹ The Council filed this suite of documents by the filing deadline, including the section 42A report of Mr Ian Bayliss, which relates to the Future Urban Zone, Outline Development Plans, and subdivision provisions. In accordance with the draft Hearing Procedures, these documents are deemed to have been served on all parties.²
3. Unfortunately, however, Mr Bayliss has informed counsel that, due to technological issues resulting in the accidental deletion of the appendices, he was unable to complete two of the appendices to his report prior to the filing deadline. These appendices are:
 - (a) Appendix 1 – Section 32AA assessment of recommended changes; and
 - (b) Appendix 2 – Table summarising recommendations in response to submissions.
4. Accordingly, the Council did not file these appendices by the filing deadline.
5. The Council respectfully seeks the Panel's leave to file these two appendices late and suggests the Secretariat could upload these documents to the Panel's website and notify all parties by email, as anticipated by the draft Hearing Procedures in place of parties separately serving documents on other parties.

¹ IHP Minute 3: Amendments to indicative timeline, agenda for pre-hearing meeting and draft hearing procedures, 10 July 2023.

² In accordance with paragraph [86] of the draft hearing procedures attached to Minute 3, documents filed with the Secretariat by 3pm on the filing day will be deemed to have been served on all parties.

6. The late filing of these appendices will not cause any prejudice to submitters given that the body of the section 42A report was filed on time, the late filing only relates to missing appendices, and that the delay is minimal.

Date: 16 August 2023



D G Randal / C O Carranceja
Counsel for Christchurch City Council