

**IN THE MATTER OF** Resource Management Act 1991

**AND**

**IN THE MATTER OF** Proposed Plan Change 14 Housing and  
Business Choice pursuant to Part 5, subpart  
5A and Part 6 of Schedule 1 of the Resource  
Management Act 1991

---

**MINUTE 34:**

**DIRECTIONS FOR:  
RESUMPTION OF HEARINGS ON 15, 16, 17, 18, 23 AND 24 APRIL 2024  
AND  
COUNCIL RIGHT OF REPLY**

---

- [1] This is the thirty fourth (34) procedural Minute to be issued by the Independent Hearings Panel (IHP) established by the Christchurch City Council (the Council) to conduct the hearing of submissions on proposed Plan Change 14 Housing and Business Choice (PC 14) notified by the Council and to make recommendations to the Council, after the hearing of submissions is concluded, pursuant to Part 5, subpart 5A and Part 6 of Schedule 1, of the Resource Management Act 1991 (RMA).
- [2] The purpose of this Minute is to:
- (a) Issue directions regarding the resumed hearing weeks 9 and 10 on 15, 16, 17, 18, 24 and 25 April; and
  - (b) issue further directions to the Council regarding right of reply.

## **Background**

- [3] By memorandum of 6 December 2023 counsel for the Council advised that the Council had resolved to request the Minister for the Environment (the Minister) to issue directions under section 80M of the Resource Management Act 1991 to pause the hearings on PC14 considering an anticipated change in government policy on the mandatory requirements of the Medium Density Residential Standards (MDRS).<sup>1</sup> By Memorandum of 22 December 2023 the Council requested that the IHP pause consideration of PC 14 pending a response from the Minister.<sup>2</sup>
- [4] By Minute 32 the IHP adjourned hearings until a later date between 18 March and 30 April 2024.<sup>3</sup>
- [5] The Council filed a memorandum of 1 March 2024<sup>4</sup> advising that the Minister Responsible for RMA Reform and Minister of Housing, had declined the Council's request to delay PC 14 in its entirety and directed the Council to continue to meet the 12 September 2024 deadline at least with regard to matters related to the implementation of the National Policy Statement on Urban Development (NPS-UD). The Minister advised of his ongoing consideration to provide the Council more time to consider the implementation of the MDRS component of PC 14. The Council advised that it was seeking further clarification of the Minister's response.

---

<sup>1</sup> [Memorandum-of-Counsel-for-Christchurch-City-Council-6-December-2023-Council-Resolution.pdf](#)

<sup>2</sup> [Memorandum-of-Counsel-for-Christchurch-City-Council-22-December-2023-requesting-adjourment.pdf](#)

<sup>3</sup> [IHP-Minute-32-Decision-On-The-Request-by-The-Council-for-an-Adjournment-of-Hearings-08-January-2024.pdf](#)

<sup>4</sup> [Memorandum-of-Counsel-for-Christchurch-City-Council-1-March-2024-Update-to-IHP-Minister-Response.pdf](#)

## **Directions for resumption of hearings**

- [6] Taking into account the Council's memorandum of 1 March 2024, the IHP confirms that the hearing of submissions and further submissions and topics for weeks 9 and 10 will proceed as scheduled on 15 April and the following dates set out in [2](a) above.
- [7] The hearings will be held at: Function Room, Level 1, Te Hononga Christchurch City Council Civic Offices, 53 Hereford Street, Christchurch.
- [8] For the avoidance of doubt the IHP will continue to consider all evidence and submissions on the whole of PC 14 when the hearing resumes.

## **Recommendations Report**

- [9] The IHP also wishes to signal to parties that it currently intends (subject to any further directions from the Minister and/or any views the Council or submitters may offer before the close of the hearings), to issue its recommendations report on the whole of PC 14 and all submissions and further submissions on the plan change. That is because in the time available the IHP is concerned that there may be both legal and practical difficulties in being able to extract matters that are solely related to the MDRS and those matters solely related to the implementation of the NPS-UD given the Plan Change and much of the evidence and submissions address the issues as an integrated package. The IHP is greatly concerned that such an exercise, even if it were possible, would add significantly to the time required to complete our deliberations and the completion of the recommendations report.
- [10] In issuing its recommendations report on all matters the IHP would still endeavour, wherever possible, to identify matters that are solely related to the implementation of the MDRS to assist the Council with its decision making.<sup>5</sup>

## **Directions to submitters wishing to be heard.**

- [11] For those submitters who have already advised the Secretariat of their wish to be heard in weeks 9 and 10 the Secretariat will make contact with you to schedule your hearing time.

---

<sup>5</sup> The IHP role is to make recommendations to the Council on PC 14 following the hearing of submissions and the Council will decide whether to accept or reject those recommendations following the process prescribed by the RMA and/or further directions of the Minister.

[12] For any submitter or further submitter who indicated in their written submission of their wish to be heard and have yet to do so, they are invited to contact the Secretariat by 3pm on 22 March 2024 to schedule a hearing time in weeks 9 or 10.

[13] Hearing time available in weeks 9 and 10 is limited, therefore, submitters will be restricted to the time limits set out in paragraph [63] of the hearing procedures<sup>6</sup> unless an extension of time has been approved by the Chair.

[14] The IHP will accommodate requests to be heard by audio visual link. Submitters wishing to be heard by audio visual link are to contact the Secretariat five working days prior to the scheduled appearance time to make the necessary arrangements.

### **Council right of reply**

[15] In light of the response from the Minister provided in the Council's memorandum of 1 March 2024, the IHP suggests the following timetable for receipt of the Council right of reply and the IHP recommendations report:

- (a) Council right of reply by 3pm Friday 10 May 2024; and
- (b) IHP recommendations report by Friday 19 July 2024.<sup>7</sup>

[16] The IHP invites counsel for the Council to discuss with the Secretariat the practicality of the suggested time frame before the IHP confirms those dates. The IHP reiterates, that it requires a minimum period of eight weeks after receipt of the Council right of reply to complete its deliberations and provide its recommendations report.

Dated 8 March 2024



Cindy Robinson  
Chair  
for Independent Hearings Panel

---

<sup>6</sup> [IHP-Hearing-Procedures-UPDATE-FINAL-23-August-2023.pdf](#)

<sup>7</sup> Assuming the IHP prepares a recommendations report on the whole of PC14