

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 46:

CHRISTCHURCH CITY COUNCIL RIGHT OF REPLY

- [1] This is the forty sixth (46) 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 record our directions for the date for Council's right of reply following the hearings and indicate the date on which the IHP will issue our recommendations report.

Background

- [3] On 8 March 2024 the IHP issued Minute 34¹ with directions for resumption of hearings in 2024 and Council's right of reply. The Minute included the indicative dates of 10 May 2024 for Council's right of reply, and 19 July 2024 for issuing the IHP recommendations report.
- [4] Counsel for Council filed a memorandum on 9 April 2024² with a request for a further two weeks to be allowed for the right of reply, being 24 May 2024, and no change to the 19 July 2024 date for the issuing of the IHP recommendations report.

Decision

- [5] The IHP, having considered the Council's time request, records:
- (a) As discussed with Counsel for Council during the hearing on Monday 15 April 2024, the extension proposed by the Council is not acceptable to the IHP without an equivalent extension of the time period for the IHP to deliver its recommendations report to Council. The date of 19 July 2024 was based on the IHP's earlier assessment of the work required to prepare our report, and the availability of panel members. A delay in receiving the Council's reply impacts on that timeline and the availability of the IHP to undertake our deliberations.

¹ [IHP-Minute-34-Directions-on-resumption-of-Hearings-and-Right-of-Reply-8-March-2024.pdf](#)

² [Memorandum-of-counsel-for-Christchurch-City-Council-9-April-2024-Timeframe-for-reply-and-administrative-matters.pdf \(ihp.govt.nz\)](#)

- (b) The IHP agrees to a one-week extension of time for the Council, so that the right of reply is now due on 17 May 2024, and as a consequence we will deliver our report and recommendations by 26 July 2024.
- [6] At the hearing on Tuesday 16 April 2024, Counsel for Council, Mr Randal advised that one of the matters that may be relevant to the Panel's reconsideration of our timeline is the extent to which the IHP or the Council will undertake any technical mapping changes because of our recommendations.
- [7] The IHP acknowledges the offer of the Council to provide technical support from GIS technicians who are not directly involved with PC 14 to support our deliberations and recording of our recommendations. However, the approach the IHP will take, in accordance with clause 100(3) of Schedule 1, RMA is to include in our recommendations changes to the provisions (objectives, policies and rules and other methods (including zones)) and only a schedule describing the specific changes that we recommend the Council make to the planning maps as a consequence of our recommendations.
- [8] The IHP considers it will be more efficient for the Council to attend to the changes given the work that it has already undertaken to provide mapping tools during the hearing.
- [9] Following the delivery of our recommendations report to the Council, we will then provide a two-week period within which Council planning and GIS technicians could seek clarification of any changes to the planning maps as directed in our report. This would be solely for technical purposes to ensure our recommended changes are reflected correctly on the planning maps. The Council would then forward the completed set of planning maps to the IHP for cross checking against our list of changes. The IHP would then confirm that the mapping changes accurately reflect our recommendations. This process can be undertaken under clause 101(4) to schedule 1, RMA.
- [10] Where the Council does wish to seek clarification of our recommendations as contained in our report, including mapping changes, this is to be communicated to the IHP by memorandum and will be published on the IHP website. Our responses will be recorded in a Minute, which will also be published on the IHP website. That part of the process is not an opportunity for submitters to make comment, it is simply a technical process to ensure that our recommendations have been understood by Council.

Dated 22 April 2024

A handwritten signature in black ink, appearing to read 'Cindy Robinson', with a long, sweeping flourish extending to the right.

Cindy Robinson

Chair

for Independent Hearings Panel