

Before the Independent Hearing Panel
Appointed by the Christchurch District Council

Under the Resource Management Act 1991

In the matter of the hearing of submissions on Plan Change 14 (Housing and
Business Choice) to the Christchurch District Plan

**Memorandum of Counsel on behalf of Cashmere Park Limited, Hartward
Investment Trust and Robert Brown (Submitter #593)**

9 February 2024

Submitter's solicitors:
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**anderson
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May it please the Independent Hearing Commissioners:

- 1 This memorandum is filed on behalf of Cashmere Park Limited, Hartward Investment Trust and Robert Brown (the **Submitters**), seeking an extension for the filing of supplementary legal submissions and responses from expert witnesses, due on Friday 16 February 2024.
- 2 The Submitters seeks to rezone land located within the Hendersons and Cashmere catchments,¹ from Rural Urban Fringe and Residential New Neighbourhood to Medium Density Residential.
- 3 In the course of presentation of the submission at the hearing on 14 November 2023, counsel and several expert witnesses were requested by the Panel to provide further information and evaluation, including: a more detailed assessment against the Canterbury Regional Policy Statement and the National Policy Statement for Highly Productive Land; revisiting the section 32 assessment against the Amendment Act requirements identified in Council's legal submissions; addressing whether an ODP qualifies the MDRS; and provision of a simplified ODP and updated set of District Plan provisions sought.
- 4 Throughout the remainder of November 2023, work on the responses progressed, including through further discussions between the Submitters' expert witnesses and Council's reporting officer and other staff.
- 5 However, from 1 December 2023 the Submitters became aware that Council intended to seek to have the PC14 process paused pending anticipated changes to the mandatory application of the MDRS. At that time, it became uncertain whether the PC14 hearings would be progressed to decision stage, and work on the response temporarily paused. That work has remained on hold following the Council's request to the Minister for the Environment to enable the PC14 hearings to be paused, and the subsequent Panel direction² that the remaining hearings be adjourned. Those hearings are now scheduled to resume from 15 April 2024.
- 6 We understand from news media reports that the Christchurch Mayor is to meet with the Minister for the Environment on 13 February, and that the Minister will make a decision on Council's request to pause the PC14 process following that meeting.

¹ 126 Sparks Road (Lot 1 DP 412488); 17 Northaw Street (Lot 2 DP 412488); 36 Leistrella Road (Lot 3 DP 412488); 240 Cashmere Road (Lot 23 DP 3217); 236 Cashmere Road (RS 41613); 200 Cashmere Road (Lot 1 DP 547021).

² Minute 32, 8 January 2023

- 7 The Submitters have committed significant resource to their PC14 submission, and in their case, there is a relatively substantial amount of work required to respond to the Panel's requests, including the completion and documentation of discussions with Council officers and staff. The Submitters would prefer not to commit further resource to completing the responses while the future of the PC14 process remains uncertain. For that reason, the Submitters respectfully request an extension for the filing of responses to the Panel's requests until 28 March 2024, being a date prior to resumption of the final hearing days.

Dated 9 February 2023

A handwritten signature in black ink, appearing to read 'S Eveleigh', written in a cursive style.

Sarah Eveleigh / Sarah Schulte

Counsel for Cashmere Park Limited, Hartward Investment Trust and Robert Brown