

BEFORE THE CHRISTCHURCH CITY COUNCIL

IN THE MATTER OF The Resource Management Act 1991 (**Act**)

AND

IN THE MATTER OF Resource consent application RMA/2024/576 by
Cambridge 137 Limited to demolish a heritage
building and construction of a hotel at 137
Cambridge Terrace, Christchurch

**MINUTE NO 2 OF HEARING COMMISSIONER DAVID CALDWELL
ADDRESSING HEARING RELATED MATTERS AND PARTICULARLY CHANGE OF DATE**

Dated 8 August 2024

1. In my Minute No 1¹ I made timetabling directions on the basis that the hearing was scheduled to commence on 2 September 2024.
2. On 7 August 2024, I received a Joint Memorandum of Counsel seeking a change of hearing date and alternative directions in relation to evidence.
3. The reason for the request is set out in that Memorandum, but, in summary, it arises from the receipt of the IHP's Recommendation on PC14 on 30 July 2024. It records that the IHP Recommendation includes a recommendation that Harley Chambers be removed from Appendix 9.3.7.2.
4. Pursuant to Part 6 of Schedule 1 of the RMA, the Council must consider those recommendations and make a final decision on PC14. The Memorandum records that it is anticipated that the decision will be made by the Council on 4 September 2024 and, if the Council accepts the IHP recommendations in relation to Harley Chambers, then the affected parts of the District Plan as modified by the IHP recommendations will become operative as soon as Council's decisions are notified.
5. The Memorandum notes that in addition to the heritage schedule, the IHP's recommendations on PC14 also affect a number of other provisions within Chapter 15 of the District Plan that are relevant to the application.²
6. The Memorandum records that with the current scheduled hearing date of 2 September, the Applicant, Council and submitters all face having to prepare evidence for and attend a hearing on the basis of a planning framework that will most likely be altered on 4 September, only two days after the hearing commences.³
7. The Memorandum states that whether or not Harley Chambers is removed from the heritage schedule will directly affect whether resource consent is required to demolish the building.⁴
8. In those circumstances and for reasons of efficiency to all parties, the Applicant and Council seek the timetabling directions be amended as set out in paragraph [13] of the Memorandum.
9. I can indicate that I have no difficulties with those amended dates. I make no findings at all in relation to the matters raised in relation to the impact of the Council's potential decision on PC14 but I agree that an adjournment and the amended timetabling directions are likely to assist in ensuring an efficient hearing.

¹ Minute No 1 of Hearing Commissioner David Caldwell Addressing Hearing Related Matters dated 11 July 2024

² Joint Memorandum of Counsel Seeking Change of Hearing Date dated 7 August 2024 at para [7]

³ Joint Memorandum of Counsel Seeking Change of Hearing Date dated 7 August 2024 at para [8]

⁴ Joint Memorandum of Counsel Seeking Change of Hearing Date dated 7 August 2024 at para [9]

10. The hearing is therefore adjourned and the timetable directions are amended as follows:
- (a) The officer's s42A report to be circulated no later than Wednesday 11 September 2024.
 - (b) The Applicant's evidence to be circulated no later than Wednesday 18 September 2024.
 - (c) Submitter expert evidence to be provided no later Wednesday 25 September 2024.
 - (d) The hearing be rescheduled to a date after 2 October 2024.
11. I direct that the Joint Memorandum and this Minute be served on all submitters immediately. I reserve leave for any submitter who has any concerns with this approach, to raise those, in writing, **by 3.00pm Friday 9 August 2024**.
12. If there are any issues arising from this Minute, they are to be raised through the following email address: CCCResourceconsentapplications@ccc.govt.nz



David Caldwell
Hearing Commissioner
Dated: 8 August 2024