

CHRISTCHURCH CITY COUNCIL

RMA/2018/2029

PROPOSED SUPERMARKET – 171 MAIN NORTH ROAD, PAPANUI

MINUTE 4 OF COMMISSIONER

Introduction

1. Since Minute 3 was issued, the formal hearing for this proposal was held in Christchurch on 3 and 4 December 2019.
2. The hearing is currently adjourned, pending the receipt of additional information, and the purpose of this minute is to update all parties of the associated process from here. The additional information yet to be received will be an updated condition set, and the applicant's written reply.
3. Before I discuss those matters and as I briefly noted at the close of proceedings yesterday, I wish to record my gratitude for the courteous and professional manner in which all parties conducted themselves at the hearing; and for the commitment by the applicant, the Council and experts for the submitters to further assist me before the hearing is formally closed.

Updated Conditions

4. At the outset of the hearing, the applicant helpfully tabled an amended version of the draft conditions attached to Mr Harris' s42A Report. That document included several further conditions volunteered by the applicant to address matters raised by submitters and by the Council Officers.
5. Over the course of the hearing, the conditions were regularly referred to including where parties signalled their support for conditions or identified further refinement they believe is required.
6. For the benefit of submitters who did not attend the proceedings, I note that it is common for conditions to be a matter of discussion between parties in hearings of this nature to try to reach as much agreement as possible in the event consent is granted. I made clear at the hearing that I have not made a decision about whether consent should be granted or not; however, it is important that I have a clear understanding of the conditions that should apply if it is granted.
7. It was evident to me that there is a high degree of consensus about the draft conditions amongst the experts who presented, though there are some outstanding matters yet to be confirmed. At the close of proceedings, the applicant, Council and experts for the submitters gave an undertaking to provide an updated version of the conditions on the following basis:
 - a. the updated condition set will be circulated to all parties by the end of next week (3pm, Friday 13 December) at the latest;

- b. the applicant and Mr Harris will coordinate the inputs and outputs of this process; and
- c. the experts who contribute to the revised conditions will clearly signal all conditions agreed to, and not agreed to – where there is a difference of opinion, the experts will clearly state why they have adopted a particular drafting preference.

Applicant's Reply & Hearing Closure

- 8. Following the receipt of the updated condition set, the applicant will provide its written reply. The applicant has signalled it will do so by the end of the following week – Friday 20 December.
- 9. The reply will be made available to all parties at that time.
- 10. I note that the Resource Management Act (RMA) 'calendar' ends on 20 December, and resumes on Friday 10 January 2020. I will signal to the parties on or around that date next year whether I have all the information I require.
- 11. Once I have all relevant information, I will formally signal the close of the hearing by a final minute.
- 12. The notice of decision will then be provided within 15 working days as required by the RMA.

Next Steps

- 13. Confirming the above:
 - a. an updated version of the conditions with input from the applicant, Council and expert witnesses called by submitters is to be circulated by **3pm on Friday 13 December**; and
 - b. the applicant's reply is to be circulated by **3pm on Friday 20 December**.
- 14. Any questions of clarification from the parties may be directed to Ms Ferrari in the first instance.
- 15. Once again, Ms Ferrari can be reached at the following email address CCCResourceconsentapplications@ccc.govt.nz.

DATED this 5th day of December 2019



DJ McMahon
Independent RMA Hearings Commissioner