

IN THE MATTER OF the Canterbury Earthquake
(Christchurch Replacement District
Plan) Order 2014

AND

IN THE MATTER OF proposals notified for incorporation
into a Christchurch Replacement
District Plan

Date of decision: 2 February 2017

Hearing Panel: Environment Judge Hassan (Chair), Ms Sarah Dawson,
Mr Stephen Daysh, Ms Jane Huria

Decision on Minor Corrections

DECISION 57

**Chapter 6: General Rules and Procedures (Part) – Noise, Airport matters and
Hagley Park**

(and relevant definitions and associated Planning Maps)

Background

[1] On 21 December 2016, submitter John Sugrue (2567) made an application on behalf of himself and 15 other submitters ('Submitter Group')¹ for two changes to Decision 57, namely:

- (a) To "require all engine testing rules and provisions be attached to the Airport Designation as well as confirming they are in the appropriate chapter";² and
- (b) To "remove the 'Sensitive activity avoidance rule' from the 50 dB engine testing contour but leaving the 50 dB engine testing contour itself in place".³

[2] By this supplementary decision, we decline both requests for the reasons following.

Jurisdiction to make minor amendments

[3] Our jurisdiction to make minor amendments to decisions is in cl 16 of Schedule 3 to the OIC, which provides as follows:

- (1) The hearings panel may, at any time, issue an amendment to a decision to correct a minor mistake or defect in a decision of the panel.
- (2) This power includes the power to amend or correct a proposal, provided that the amendment or correction is made before the proposal becomes operative in accordance with clause 16 of this order.

[4] This allows us capacity to 'correct a minor mistake or defect in a decision'. That is a remedial power, not a power to revisit substantive reasoning or intended outcomes as the Submitter Group seeks in each request.

¹ Mr Sugrue's application is specified as also being on behalf of Dave Bastin (2078), John Bowie (2852), Ron van der Busse (2866), Vanessa Payne (2191), Annek van Ameyde (2866), Bruce Campbell (2489), Valerie Hobbs (2855), Dave Lawry (2514), Graeme Moore (2870), Gerrit Venema (2091), Helen Moore (2870), Robert Upton (2859), and H Davey & P Floris (2869).

² Submitter Group application, para 1.a.

³ Submitter Group application, para 2.d.

[5] For those reasons, we find we have no jurisdiction to grant the requests.

Requests are inappropriate in any case

[6] In addition to the lack of jurisdiction, we find the requests are inappropriate in seeking that we depart from substantive findings on each of the specified matters, those findings (and their evidential basis) being set out in Decision 57 and the other related decisions.

[7] Given our reasons, we do not need to hear from other parties on the requests, and reject them accordingly.

For and on behalf of the Hearings Panel:

A handwritten signature in blue ink, appearing to read 'John Hassan', written over a horizontal line.

Environment Judge John Hassan
Chair