

**BEFORE THE CHRISTCHURCH REPLACEMENT
DISTRICT PLAN HEARINGS PANEL**

IN THE MATTER of the Resource
Management Act 1991
and the Canterbury
Earthquake
(Christchurch
Replacement District
Plan) Order 2014

AND

IN THE MATTER of the Subdivision,
Development and
Earthworks Proposal

**STATEMENT OF ISSUES RELATING TO THE
(PART) SUBDIVISION, DEVELOPMENT AND EARTHWORKS PROPOSAL**

25 FEBRUARY 2015

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MAY IT PLEASE THE PANEL:

1. The purpose of this memorandum is to set out the issues arising from submissions that have been made on the (part) Subdivision, Development and Earthworks Proposal (**Proposal**) of the proposed Replacement District Plan (**pRDP**). The Christchurch City Council (**Council**) was directed to file this Issues Statement following the pre-hearing meeting of 16 February 2015.¹ Any submitters seeking to file further memoranda as to the issues, can do so by 5:00pm Friday 27 February 2015.²

STATEMENT OF ISSUES

2. The scope of the hearing for this Proposal includes all of (part) Chapter 8 notified in Stage 1, and the core and reliant definitions set out in **Attachment A**. With this scope in mind, the purpose of this Statement of Issues is to assist the Hearings Panel and submitters by grouping together issues that have been raised through submissions.

3. **Subdivision Activity Status**

Issue 1 Is it appropriate for subdivision to be a restricted discretionary activity status in the proposed Replacement District Plan?

Submissions oppose the use of restricted discretionary activity status, instead seeking controlled activity status.

4. **Compliance with Outline Development Plans**

Issue 2 Is it appropriate to require development to be "in accordance" rather than in "general accordance with" Outline Development Plans?

¹ Pre-hearing report and directions – Subdivision, Development and Earthworks (Part) Chapter 8, Direction A and Paragraph [5].

² Pre-hearing report and directions – Subdivision, Development and Earthworks (Part) Chapter 8, Paragraph [5].

Submissions have been received requesting that the Proposal be amended to require that development be in "general accordance" with Outline Development Plans only.

5. Residential Medium Density Net Site Area provisions

Issue 3 Whether the density targets at Policy 8.1.2.8 in the Proposal (which align with the Canterbury Regional Policy Statement) are set too high?

Issue 4 Will the minimum net site areas contained in Tables 2 and 3 of Rule 8.3.1.1 meet the density target required by the Canterbury Regional Policy Statement and Policy 8.1.2.8 of the Proposal?

Issue 5 Are the Residential Medium Density minimum net site area provisions in Tables 1 and 3 of Rule 8.3.1.1 sufficiently clear.

Issues 3 and 4 are raised in a number of submissions, and there is conflict between submissions seeking to ensure the targets are met, and those seeking to reduce the targets. In respect of Issue 5, some submissions seek that the provisions be re-drafted for clarity.

6. Scope of assessment matters / implied third party approvals

Issue 6: Is the scope of topics covered by the assessment matters in Clause 8.5 appropriate?

Issue 7: Do some of the assessment matters imply that approval may be required from a third party?

The submissions in relation to Issue 7 do not identify specific examples of implied third party approvals. To assist the Panel, the Council has identified possible examples at 8.5.1 (19), (20) and (21), 8.5.2(6)(c), 8.5.4.8 (1), and 8.5.4.9(4). In addition, the Council has identified possible examples of Matters of Discretion 8.3.4.3(10), (13), (19) - (26), and 8.4.1.4(19).

7. Silent files

Issue 8 It is necessary to refer to silent file areas in policies and rules in the proposal?

Submissions have been received in relation to the silent file area in Belfast. Submissions seek to add to the Proposal in terms of silent files, including in particular to Policy 8.1.1.2 and Rule 8.3.7.1.

8. Reverse sensitivity

Issue 9: Is it appropriate to consider reverse sensitivity matters relating to infrastructure at the time of subdivision?

Submissions from infrastructure operators seek that the subdivision proposal consider the reverse sensitivity effects of land use on infrastructure, including at policy level.

9. Access for fire appliances

Issue 10: Is it appropriate to require access to every site which is suitable for fire appliances?

The New Zealand Fire Service seeks that the subdivision proposal require each site to have vehicle access which enables access by fire appliances, regardless of topography.

10. Protection of springs

Issue 11: What is the most appropriate method of ensuring springs are protected through subdivision, including 'known', 'unknown' or new springs?

Submissions seek to clarify whether Proposed Rule 8.3.7.1 RD3 is appropriate or whether it would be more appropriately included as a matter

of discretion. Submissions also query how the Proposal might manage subdivisions containing springs unknown at the time of subdivision.

11. Subdivision trees

Issue 12: Is it appropriate to protect trees through subdivision which are not listed as being significant, and should the provisions clearly detail the method the Council proposes to use?

Proposed Rule 8.3.7.1 RD1 is in effect a placeholder until the Natural and Cultural Environment Proposal (including a schedule of protected trees) is notified. It is similar to the provisions of the Operative City Plan.

12. Definitions

A list of core and reliant definitions is set out in **Attachment A**.

DATED this 25th day of February 2015



J G A Winchester / S J Scott
Counsel for Christchurch City Council

Attachment A: Definitions

Core definition	Reliant definition
Access	Access lot Access strip Lot New neighbourhood entry Lot Right-of-way Road
Allotment	Subdivision
Amenity values	
Boundary	Access way Building Frontage Net site area Point strip Road Road reserve Service lane Setback Site Site boundary
Building	Banks Peninsula District Plan Ground level Height Public artwork Residential unit
Commercial activities	Commercial services Industrial activity Office Retail activity
Cycle lane	Roadway
Cycle route	Cycle lane Cycle way
Cycle way	Access Adjoining

Core definition	Reliant definition
	Allotment Roadway
Density uplift area	Development Subdivision
Frontage	Boundary
Industrial activity	Building High technology industrial activity Mineral extraction activity Noxious or offensive activity
Neighbourhood plan	
Net site area	Access Allotment Site
Network infrastructure	
Network utility operator	
New neighbourhood net density	New neighbourhood hectare
Pedestrian access way	Access way
Reserve	Esplanade reserve Road reserve
Residential unit	Accessory building Building Residential activity Site
Road	
Road boundary	Boundary Road
Service lane	Access Council
Significant indigenous vegetation	Indigenous vegetation
Site	Access Accessory building Adjoining Allotment Boundary Building Council

Core definition	Reliant definition
	Legally defined parcel of land Lot Residential unit Subdivision
Subdivision	Allotment
Utility	Accessory building Network utility operator
Vehicle access	Access