

**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: 16 December 2016

Hearing Panel: Sir John Hansen (Chair), Environment Judge Hassan (Deputy  
Chair), Ms Jane Huria, Ms Sarah Dawson, Dr Phil Mitchell

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**Decision to make further Minor Corrections and Consequential Changes arising  
from Decision 43 Central City**

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**Background**

[1] The Hearings Panel ('the Panel') issued its decision on Chapter 43 Central City on 20 September 2016. We have since made minor corrections to that decision (Minor Corrections Decision).<sup>1</sup>

[2] The Council filed a further memorandum responding to matters raised in the Minor Corrections Decision (response to minor corrections decision).<sup>2</sup> The Council requests further corrections and consequential changes to the CRDP.<sup>3</sup>

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<sup>1</sup> Minor Corrections to Decision 43, 16 November 2016.

<sup>2</sup> Memorandum of Counsel for Christchurch City Council responding to Minor Corrections to Decision 43, 30 November 2016.

<sup>3</sup> OIC, clause 13(5) and Sch 3 cl 16.

[3] In particular the Council seeks the following:

- (a) Amendment to drafting of permitted activity rules across the plan;<sup>4</sup>
- (b) Renumbering and restructuring of the CRDP;
- (c) Corrections to Rules 14.13.2.1 P13, 14.14.2.3 RD1 and RD2;
- (d) Corrections to Rule 7.3 (e) and (g); and
- (e) Replacement of Recession Plane diagrams in Appendix 15.5.9.

### **Decision as to minor corrections**

[4] We find as follows:

#### *Permitted activity rules*

[5] The Panel agrees that in order to achieve consistency across the CRDP that the change should be made. We have included the amended wording in the consequential changes to each chapter to be issued with the Supplementary Definitions Decision, with the exception of the changes to the Specific Purpose (Lyttelton Port) Zone. We are unable to make the change requested to the Specific Purpose (Lyttelton Port) Zone under the OIC.

#### *Renumbering and Restructuring*

[6] Directions have been made in relation to renumbering and restructuring in our Minor Corrections to Decision 56.<sup>5</sup>

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<sup>4</sup> The Council filed a further memorandum updating the changes that it requests to the permitted activity rules to achieve consistency. See Memorandum of Counsel for the Council confirming details in respect of amending permitted activity rule phrasing of the CRDP, 8 December 2016.

<sup>5</sup> Minor Corrections to Decision 56 Chapter 6: General Rules and Procedures (Part) – excluding Noise, Airport matters, and Hagley Park and Chapter 15: Commercial – Lyttelton Mater Plan Overlay Area.

*Corrections to Rules 14.13.2.1 P13, 14.14.2.3 RD1 and RD2*

[7] This change was originally requested in the Council's second further corrections memorandum. It relates to a correction to the legal description of the property at 52 Rolleston Avenue. The Minor Corrections Decision was silent as to the change requested. We now make that change and have included it in the provisions attached to our Supplementary Definitions Decision.

*Corrections to Rule 7.3 (e) and (g)*

[8] We have already addressed this matter in our amendments to Chapter 7 as part of Decision 48 Chapter 7 Transport Deeming Provisions for New and Stopped Roads.<sup>6</sup> As a consequence the rules have been moved to Rule 7.4.0.

*Replacement of Recession Plane diagrams in Appendix 15.5.9*

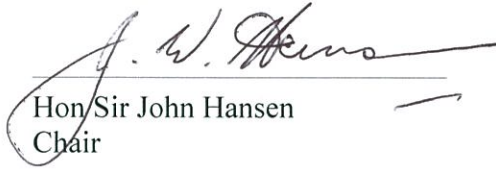
[9] The changes to the Recession Plane diagram were approved in our Minor Corrections Decision at [24]. However, the Council has now provided an alternative solution which it submits is a more pragmatic means of carrying out the change to the Recession Plane diagram. The Council has provided replacement wording for the diagrams D and E in Appendix 15.5.9 in its response to minor corrections decision.<sup>7</sup> We accept the wording proposed by the Council is appropriate and direct the Council to include the CRDP as part of the restructuring and renumbering exercise.

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<sup>6</sup> Decision 48 Chapter 7 Transport in relation to deeming provisions for new and stopped roads, 14 October 2016.

<sup>7</sup> Memorandum of Counsel for Christchurch City Council responding to Minor Corrections to Decision 43, 30 November 2016, at 6.3. The Council provided the updated recession plane diagram as Appendix A, however, it contains an error that needs correcting.

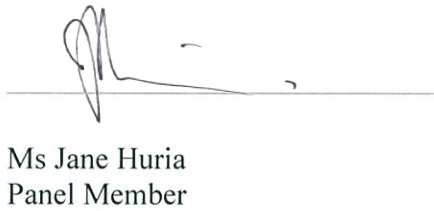
For the Hearings Panel:



Hon/Sir John Hansen  
Chair



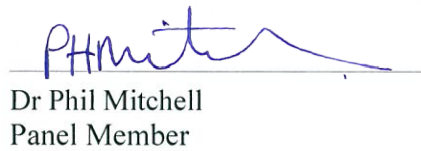
Environment Judge John Hassan  
Deputy Chair



Ms Jane Huria  
Panel Member



Ms Sarah Dawson  
Panel Member



Dr Phil Mitchell  
Panel Member