

**BEFORE THE CHRISTCHURCH REPLACEMENT
DISTRICT PLAN INDEPENDENT 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 Residential
(part) Stage 1
Proposal of the
Christchurch
Replacement District
Plan

**UPDATED MEMORANDUM OF COUNSEL FOR CHRISTCHURCH CITY
COUNCIL IN RESPONSE TO THE PANEL'S DIRECTIONS IN DECISION 10
RESIDENTIAL (PART)**

21 January 2016

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MAY IT PLEASE THE PANEL:

Introduction and summary

1. Further to the Memorandum of Counsel for Christchurch City Council dated 11 January 2016, in response to the Panel's Directions in Decision 10, correspondence was filed with the Hearings Panel by Housing New Zealand Corporation (**HNZ**). Counsel then received an e-mail from the Secretariat (both documents in **Appendix A**) confirming the following:

"The Chair has advised that the Hearings Panel is happy to receive and consider an application from the Council, further to the attached correspondence, to amend the direction under Clause 13(4) for further Residential Medium Density land to be included for notification, and including any terms that the Council may seek to include".

2. Other than the updates provided in this memorandum, the Council continues to rely on the content of its memorandum dated 11 January 2016.
3. Attached to this memorandum are the following documents:
 - (a) the correspondence from HNZ and the e-mail from the Secretariat referred to above (**Appendix A**);
 - (b) updated Planning Maps 33, 39 and 40 (**Appendix B**), which replace the equivalent planning maps provided on 11 January 2016 (all other planning maps provided on 11 January 2016 are not affected by this updated application);
 - (c) updated planning maps for RMD zoning of areas around the Linwood (Eastgate), Hornby and Papanui (Northlands) Key Activity Centres ("**RMD Proposal**" - planning maps only). This Appendix contains all relevant planning maps for the RMD Proposal, although only Planning Maps 33, 39 and 40 (Linwood) have been amended - (**Appendix C**);
 - (d) an updated section 32 evaluation for the RMD Proposal (**Appendix D**);

(e) an updated section 32 evaluation for the New 11kV Heathcote to Lyttelton Electricity Distribution Line Proposal (**Appendix E**).

4. The Council respectfully requests that the Panel order that the updated RMD Proposal as attached, and the Orion Proposal as provided on 11 January 2016 but with the updated section 32 evaluation provided in **Appendix E**, be notified under clause 13(4) of the Order in Council.

Specific comments

New RMD Proposal

5. In paragraph 8 of its memorandum dated 11 January 2015, Council recorded that it had entered into discussions with Housing New Zealand, regarding a request that an additional area around the Linwood KAC be included in the new RMD Proposal. The area is a block immediately to the south-east of Linwood KAC and meets the location/exclusion criteria set out in Policy 14.1.1.2(a) and (b) of the Decision Version, but was not within the original area consulted on pre-notification as set out in Exhibit 4 to the Stage 1 Residential Hearing.
6. Following correspondence from HNZ to the Hearings Panel, and the Chair's subsequent invitation to the Council to file an updated application for directions in light of the HNZ correspondence, the Council has included the additional area suggested by Housing New Zealand in the proposal in **Appendix C**.
7. The reasons for including the additional land are addressed in the updated section 32 report, in particular in Table 1 (**Appendix D**).

Planning maps

8. The Council has provided updated planning maps 33, 39 and 40 in **Appendix B**. For the reasons set out in paragraph 5 of our 11 January 2016 memorandum, the additional area suggested by Housing New Zealand is shown as grey, as it now instead forms part of the draft new RMD Proposal.

New 11kV Heathcote to Lyttelton Electricity Distribution Line Proposal

9. The section 32 report attached to the memorandum dated 11 January 2016 as Appendix E for the new 11kV Heathcote to Lyttelton Electricity Distribution Line Proposal, refers to the development proposal at 64 and 68 Port Hills Road having "consent".¹ It has since been clarified that the development has earthworks consent only. An updated section 32 report is therefore attached as **Appendix E**, with corrected references to the type of consent granted.

Proposed submission timetable

10. The Council suggests the following timetable for submissions for both the RMD and 11kv Heathcote to Lyttelton Electricity Distribution Line Proposals, which is based on the timeframes for submissions in clauses 6 and 7 of Schedule 1 to the Order in Council:
- (a) complete notification within 10 working days following receipt of the Panel's order for notification (for example, assuming the Panel makes an order for notification on Monday 25 January, notification would be on Tuesday 9 February);²
 - (b) 30 day submission period (Monday 22 March closing using the example in (a) above);
 - (c) no later than 10 working days later submissions coded, public notice given³ (Wednesday 6 April notification using the example in (a) above);
 - (d) no later than 10 working days later further submission period ends (Wednesday 20 April 2016 using the example in (a) above);
 - (e) no later than 10 working days later further submissions published (Thursday 5 May 2016 using the example in (a) above)⁴.

¹ The changes are identified in red text in the updated version.

² Council notes that while 7 days are practically required (5 working days) in order for the public notice to be finalised and meet The Press' printing deadlines, Council seeks additional time in which to organise public information events to ensure interested parties have opportunities to clarify questions, and it wishes to incorporate this new proposal into ePlan and the "Property Search" function, thereby making it more visible.

³ Council will seek to apply sufficient resources for this to be completed within 5 working days.

11. We understand that the Secretariat gives submitters 10 working days' notice of pre-hearing meetings, which means this could be given following the further submissions being published and compilation of a list of submitters.

DATED 21 January 2016



S J Scott / H P Harwood
Counsel for Christchurch City Council