

**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 hearing
regarding Proposal 8:
Subdivision,
Development and
Earthworks and
Proposal 2: Definitions
in the Christchurch
Replacement District
Plan

**JOINT APPLICATION ON BEHALF OF THE CHRISTCHURCH CITY COUNCIL
AND THE CROWN SEEKING DIRECTIONS REGARDING NATURAL AND
CULTURAL MATTERS IN PROPOSAL 8: SUBDIVISION, DEVELOPMENT AND
EARTHWORKS AND PROPOSAL 2: DEFINITIONS**

Dated 19 May 2015

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MAY IT PLEASE THE PANEL:

1. This joint application is filed on behalf of the Christchurch City Council (**the Council**) and the Crown in relation to the Subdivision Proposal and Definitions Proposal with respect to natural and cultural heritage matters. The purpose of the application is to seek directions from the Hearings Panel to defer consideration of a number of provisions / definitions currently within the scope of the Subdivision and Definitions Proposals.

The parties' agreed position

2. The Council is scheduled to notify a Natural and Cultural Heritage Proposal on 27 June 2015 (Stage 3 of consideration of the proposed Christchurch Replacement District Plan) which will introduce a suite of objectives, policies and rules relating to natural and cultural heritage matters.
3. The Subdivision Proposal as notified on 27 August 2014 contains an objective, policies, rules, assessment matters and definitions which address natural and cultural heritage matters as follows:
 - 3.1 Objective 8.1.1 – Natural and Built Environments;
 - 3.2 Policy 8.1.1.1 – Natural features and landscapes, Policy 8.1.1.2 – Protection through subdivision, and Policy 8.1.1.3 – Historic heritage and protected trees;
 - 3.3 Rule 8.3.7 – Heritage and Natural Environment;
 - 3.4 Assessment matter 8.5.2 – Natural and Cultural Heritage; and
 - 3.5 The definition of "significant indigenous vegetation" and "indigenous vegetation".
4. The Council's Statement of Issues for Proposal 2 dated 13 May 2015 records that the scope of the Definitions hearing includes all definitions listed in Proposal 2 that were notified in Stage 1 and specifically identifies "indigenous vegetation" as a remaining definition in Appendix B.
5. The Crown lodged a submission on Objective 8.1.1, Policies 8.1.1.1 and 8.1.1.2, Rule 8.3.7 and Assessment matter 8.5.2 in Proposal 8 and the definition of "indigenous vegetation" in Proposal 2.
6. The Council and the Crown have agreed that the above provisions and definitions related to natural and cultural heritage matters would most

appropriately be considered at the time the Natural and Cultural Heritage Proposal is addressed rather than as part of the Subdivision or Definitions hearings. Amongst other things, the Natural and Cultural Heritage Proposal is proposed to deal with issues and definitions associated with indigenous vegetation. The parties consider that deferring consideration of these provisions would avoid duplication including the need to call evidence on natural and cultural heritage matters for multiple hearings. It would also ensure that natural and cultural matters can be heard and considered in an integrated manner while enabling these issues to be considered in light of submissions that may be lodged as part of Stage 3.

Direction sought

7. Given the above agreement, the parties seek the following direction from the Hearings Panel:

7.1 That the Hearings Panel will defer hearing evidence and making decisions on the following proposed provisions until natural and cultural heritage matters are considered in Stage 3:

- (a) In respect of the Subdivision Proposal:
 - (i) Objective 8.1.1;
 - (ii) Policies 8.1.1.1 to 8.1.1.3;
 - (iii) Rule 8.3.7; and
 - (iv) Assessment matter 8.5.2; and

- (b) In respect of the Definitions Proposal, the definitions of:
 - (i) "significant indigenous vegetation"; and
 - (ii) "indigenous vegetation".

DATED this 19th day of May 2015



D J Laing/K E Viskovic
Counsel for Christchurch City Council



C Carranceja / J Silcock
Counsel for the Crown