

**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 proposed  
Christchurch  
Replacement District  
Plan

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**APPLICATION FOR ORDER CONFIRMING ALLOCATION OF NOTIFIED  
PROVISIONS TO STAGE 3 AND COMBINED STAGES 2 AND 3 HEARINGS**

**30 OCTOBER 2015**

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**MAY IT PLEASE THE PANEL:**

1. This application for an Order is filed on behalf of the Christchurch City Council (**Council**) in response to Sir John Hansen's direction in the Central City Prehearing meeting on 27 October 2015, to apply for an Order that will confirm the allocation of provisions to each remaining Stage 2 and Stage 3 hearings.
2. The scope of each remaining Stage 2 and Stage 3 hearing sought to be confirmed is set out in **Schedule A** to this application.
3. It is respectfully submitted that the Panel has the power under the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 (**Order in Council**) to determine when and how it will hear parts of proposals and submissions on those parts of proposals, that have been notified under clause 5 of Schedule 1 of the Order in Council.
4. A 'proposal' is defined in clause 3 of the Order in Council as a "*proposal or part of a proposal that has been notified by the Council under Schedule 1 for incorporation into the replacement district plan, but has not become operative under clause 16, and includes a requirement*". Through the three stages, proposals have been notified by the Council as either full or part 'chapters' of the pRDP. Each 'chapter' is a proposal under the Order in Council definition.
5. One of the principal functions of the Hearings Panel set out in clause 10(1) of the Order in Council is to hold hearings on submissions on proposals (and through the definition of proposals, also on parts of proposals). The Council therefore considers that the Order in Council anticipates that the Panel can and will hear parts of notified proposals in one hearing. The Panel also has powers to determine its own procedures (clause 10(3)) and the Chairperson has a specific power to determine when submissions are to be heard and other procedural matters for the hearing of submissions (clause 3 of Schedule 2). It is therefore submitted that it is clear that the Panel has the jurisdiction to make the Order sought by the Council in this application.

**Further clarity regarding Central City Proposal, and integration into 'parent chapters'**

6. The Hearings Panel sought clarity at the Central City pre-hearing meeting, as to the outcome after the Council has relocated/integrated Chapter 13 into the remaining chapters of the pRDP/RDP. The table below sets out where the Council will be relocating/integrating the respective parts of notified Chapter 13. There will be no provisions (objectives/policies, rules, or any other text) remaining in Chapter 13 following this exercise.

7. For completeness, the Table below also outlines the relevant hearing, in which each part of Chapter 13 will be heard.

<b>Notified Chapter 13</b>	<b>Section Title</b>	<b>Parent chapter that Chapter 13 provision will be integrated into</b>	<b>Hearing in which Chapter 13 provision will be heard</b>
13.1	General Commercial Objective	Chapter 15	Central City hearing
13.2	Business Zone	Chapter 15	Central City hearing
13.3	Mixed Use Zone	Chapter 15	Central City hearing
13.4	(South) Frame) Mixed Use Zone	Chapter 15	Central City hearing
13.5	Commercial Local Zone	Chapter 15	Central City hearing
13.6	Residential and Guest Accommodation Zones	Chapter 14	Central City hearing
13.7	Open Space Zones	Chapter 18	Open Space hearing
13.8	Specific Purpose Zones	Chapter 21	Central City hearing
13.9	Transport	Chapter 7	Central City hearing
13.10	Subdivision and Development	Chapter 8	Central City hearing

13.11	Earthworks	Chapter 8	Central City hearing
13.13	Utilities	Chapter 11	Central City hearing
13.14	General Rules and Procedures	Chapter 6	General Rules and procedures hearing
13.15	Natural Hazards	Chapter 5	Natural Hazards hearing
13.16	Hazardous Substances and Contaminated Land	Chapter 12	Central City hearing
13.17	Definitions	Chapter 2	Central City, Open Space, General Rules and Procedures, Natural Hazards and the Definitions hearings

8. For the avoidance of doubt, the Council does not seek directions about the dissemination of Chapter 13.
9. The Council is not relocating or integrating any other provision referred to in this Order into any other chapter of the pRDP/RDP, despite the request for certain provisions to be "heard in" other hearings.

**DATED** this 30<sup>th</sup> day of October 2015




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

## SCHEDULE A – ORDER SOUGHT

### KEY:

TERM	MEANING IN THIS APPLICATION
Removed	<p>The listed provisions and any submissions on them will not be heard in the hearing on the notified Proposal (if there is to be one), but are to be heard with another Proposal's hearing.</p> <p>The listed provisions themselves will remain located in the notified, or 'parent' chapter in the pRDP/RDP.</p>
Heard in	<p>The listed provisions and any submissions on them will be heard with the specified Proposal's hearing, rather than in a hearing on the notified Proposal (if there is to be one).</p> <p>The listed provisions themselves will remain located in the notified, or 'parent' chapter in the pRDP/RDP.</p>

**Chapter 3 – Strategic Directions (part)**

**There will NOT be a Stage 3 Strategic Directions Proposal hearing.**

The following provision, and submissions on it, will be heard in the Central City (Stage 3) hearing:

<b>SUBMISSION POINT</b>	<b>NOTIFIED STRATEGIC DIRECTION OBJECTIVE</b>	<b>TO BE HEARD IN</b>
All submissions on 3.3.8	Notified Strategic Objective 3.3.8(c) and (d) Revitalising the Central City (including submissions on Strategic Objective 3.3.8(a) and (b) and those seeking additional subclauses).	Central City hearing

For completeness, we note that the notified Strategic Direction objective 3.3.8, although being heard in the Central City hearing, will remain located in Chapter 3 Strategic Directions of the pRDP/RDP.

The following submission points made in Stage 3 that are on Strategic Direction objectives that are in the Replacement District Plan (already subject to the Panel's Decision 1), will be heard in the relevant Stage 3 hearing listed below:

<b>SUBMISSION POINT</b>	<b>STRATEGIC DIRECTION OBJECTIVE</b>	<b>TO BE HEARD IN</b>
#3721.181	Objective 3.3.6 Natural Hazards	Natural Hazards hearing
#3721.183	Objective 3.3.9 Natural and cultural environment	Natural and Cultural Heritage hearing
#3721.184	Objective 3.3.12 Infrastructure	General Rules hearing
#3721.180	Objective 3.3.5 Business and economic prosperity	Central City hearing

The following submission points made in Stage 3 that relate to alignment of the Natural and Cultural Heritage chapter with the Strategic Directions chapter, will be heard as follows:

<b>SUBMISSION POINT</b>	<b>SUBMITTER</b>	<b>TO BE HEARD IN</b>
#3556.7	Vodafone New Zealand Limited	Natural and Cultural Heritage hearing
#3674.1, 3674.100, 3674.2	Heritage NZ Pouhere Taonga	Natural and Cultural Heritage hearing
#3689.6	Enable Networks Limited	Natural and Cultural Heritage hearing

The following submission points seeking a new Strategic Directions Objective will be heard in the relevant Stage 3 hearing listed below:

<b>SUBMISSION POINT</b>	<b>SUBMITTER</b>	<b>TO BE HEARD IN</b>
#3721.193	Crown, regarding fresh water features and values	Natural and Cultural Heritage hearing General Rules hearing
#2458.7	Mahaanui Kurataiao Limited, regarding water quality	Natural and Cultural Heritage hearing General Rules hearing

## Chapter 5 – Natural Hazards (part)

### Scope of hearing

The Natural Hazards (Stage 3) hearing consists of all of Stage 3 Natural Hazards Proposal as notified,<sup>1</sup> with the **addition of** the following provision from Central City (Stage 3) hearing:

- Central City 13.15 (Natural Hazards)<sup>2</sup>
- Relevant Central City Definitions from 13.17, which are included in the list below.

### Definitions to be heard in the Natural Hazards (Stage 3) hearing:

Access	Ground floor area
Accessory building	Grout
Act	Height
Adjoining	Heritage item
AEP	High flood hazard
Aggregate piers	Hospital
Allotment	In-situ mixing
Amenity values	Location
Approved building	Lot
Archaeological site	Maintenance
Boundary	Mixed use
Building consent platform	Parking area
Building	Repairs
Central City	Residential activity
Christchurch City	Residential building platform
Coastal Hazard mitigation works	Setback
Council	Sign/Signage
Development	Site boundary
Disturbance of soil	Site
Dripline	Soil mixing
Earthworks	Storage
Excavation	Subdivision
Filling	Use
Floor level and fill management area	Utility
Garage	Wetland

1 Except for the provisions that were withdrawn by the Canterbury Earthquake (Christchurch Replacement District Plan) Amendment Order (No 2) 2015, Clause 6.

2 Sought by the Council in the Memorandum of Counsel filed in advance of prehearing meeting for Natural Hazards Stage 3 (part) dated 21 October 2015 at paragraph 2.



**Submitter requested definitions:**

Defence against water
New structure
Reinstatement

**Directions made on Submission Points**

The following submission point will be heard in the Natural Hazards (Stage 3) hearing:

<b>SUBMISSION POINT</b>	<b>NOTIFIED PROVISION</b>	<b>TO BE HEARD IN</b>
#3721.296	Chapter 8 Subdivision Proposal, Rule 8.8.2 (P1) Earthworks: Amend rule to include "2. <i>outside a Flood Ponding Management Area</i> "	Natural Hazards hearing <sup>3</sup>

The following submission point made in Stage 3, that is on Strategic Direction objective 3.3.6 in the Replacement District Plan (already subject to the Panel's Decision 1), will be heard in the Natural Hazards hearing:

<b>SUBMISSION POINT</b>	<b>STRATEGIC DIRECTION OBJECTIVE</b>	<b>TO BE HEARD IN</b>
#3721.181	Objective 3.3.6 Natural Hazards	Natural Hazards hearing

3 Sought by the Crown at the Subdivision (Stage 3) pre-hearing meeting, because the Crown considers the amendment is necessary to ensure that the Flood Ponding Management Area earthworks provisions contained in Proposal 5 apply, not those in Rule 8.8.2 (P1).

## Chapter 6 – General Rules and Procedures (Stages 2 and 3 combined)

### Scope of hearing

The General Rules and Procedures (Stages 2 and 3) hearing consists of all of Stage 2 and Stage 3 General Rules Proposals as notified,<sup>4</sup> with the **addition of** the following provisions:

- Specific Purpose (Stage 2) – section 21.9 Specific Purpose (Golf) Zone and the Golf Resort Zone on the planning maps;<sup>5</sup>
- Residential (Stage 2) – section 14.15 Guest Accommodation Zone provisions and the Guest Accommodation Zone on the planning maps;<sup>6</sup>
- Central City (Stage 3) – section 13.14 General Rules and Procedures;<sup>7</sup>
- The relevant Central City definitions from 13.17 that are included in the list below; and
- The 50 and 55 dB Ldn airport noise contours (noting the 50 dB Ldn was also notified on the Stage 1 planning maps), the 65 dB Ldn/95 dB Lae Air Noise Boundary, as well as the 50, 55 and 65 dB Ldn engine testing noise contours, as shown on the Stage 2 planning maps.

For completeness, we note that section 21.9, section 14.15 and section 13.14 provisions, although being heard in the General Rules and Procedures hearing, will remain located in their respective 'parent' chapters of the pRDP/RDP.

### Definitions included within the General Rules (Stage 3) hearing:

Access	$L_{Aeq}$
Accessibility	$L_{Amax}$
Accessory building	Landscaping
Act	$L_{dn}$
Adjoining	Living area
Air noise boundary	Location
Aircraft operations	Lot
Amenity values	Maintenance
Approved building	Mass assembly of people
Arterial roads	Mast

4 For completeness Council notes that Section 6.4 Temporary Earthquake Recovery Activities was not notified in Stages 2 or 3, it is subject to a separate decision of the Panel.

5 Statement of Issues (updated) for Specific Purpose Zone (Stage 2) dated 13 August 2015.

6 Hearing Panel Minute dated 2 September 2015.

7 Except section 13.14.1 Temporary Earthquake Recovery Activities which is subject to an earlier decision of the Panel. As sought by the Council in its Memorandum of Counsel filed in advance of pre-hearing meeting for General Rules and Procedures combined Stages 2 and 3 dated 22 October 2015 at paragraph 6.

Artificial watercourse	Mixed use
Billboard	Net site area
Boundary	Network waterway
Building	Notional boundary
Carriageway	Off-site sign
Cemetery	Outdoor living space
Central City	Outdoor storage area
Christchurch City	Park management activities
Commercial activities	Parking area
Commercial centre	Plantation forestry
Commercial film or video production	Pre-school
Community activity	Pre-school facility
Community facility	Public artwork
Community use	Public open space
Conservation	Recreation activity
Construction work	Reserve
Contaminated land	Residential activity
Continuous building length	Residential amenity
Council	Residential unit
Cultural activity	Restoration
Cultural facility	Retailing
Customary harvesting	River
Defence against water	Road
Demolition	Road boundary
Development	Roadway
Digital sign	Sense of place
Discrete	Sensitive activities
District Plan	Sensitive areas
Downstream waterway	Service station
$D_{tr, 2m, nT, w} + C_{tr}$	Setback
Duration of work	Sign/Signage
Earthworks	Significant indigenous vegetation
Education activity	Site
Emergency	Site boundary
Engine testing	
Entertainment activity	Sound amplified activity
Environmental asset	Spiritual facility
Esplanade reserve	Storage
Excavation	Subdivision
Filling	Substance
Frontage	Temporary activities
Garage	Temporary activities and buildings
Gross floor area	
Ground floor area	Temporary military training activities
Ground level	The sale of alcohol until 4.00am
Guest accommodation	Transport infrastructure
Habitable building	Upstream waterway
Habitable space	Use
Hazardous substance	Utility
Height	Utility pole
Hill waterway	Utility structure
Historic heritage	Vehicle access
Historic heritage place	Water body
Hospital	Water body bank maintenance or enhancement work

Impervious surface	Water body margin
Indigenous vegetation	Water body setback
Installed	Waterbody
Key facilities	Wetland
L <sub>AE</sub>	Window

**Submitter requested definitions:**

Artificial watercourse
Billboard
Birdstrike risk
Community use
Digital sign
Downstream waterway
Engine testing
Environmental asset
Habitable building
Key facilities
Landfill
Late night sale of alcohol
Lighting
Minor upgrading of the existing electricity network
Navigational aid
Preservation
River
Upstream waterway
Works for the purpose of earthquake recovery

**The Panel's decisions on the following matters have been deferred until after the General Rules and Procedures (Stage 3) hearing has concluded:**

- Definitions (Stage 1) – definition of Spring

### Directions made on Submission Points

The following submission points will be heard in the General Rules and Procedures hearing:

<b>SUBMISSION POINT</b>	<b>NOTIFIED PROVISION</b>	<b>TO BE HEARD IN</b>
#3721.297	Proposal 8 Subdivision, Rule 8.8.2 Table 1: Maximum Volumes - earthworks	General Rules hearing <sup>8</sup>

The following submission point made in Stage 3, that is on Strategic Direction objective 3.3.12 in the Replacement District Plan (already subject to the Panel's Decision 1), will be heard in the General Rules hearing:

<b>SUBMISSION POINT</b>	<b>STRATEGIC DIRECTION OBJECTIVE</b>	<b>TO BE HEARD IN</b>
#3721.184	Objective 3.3.12 Infrastructure	General Rules hearing

The following submission points seeking a new Strategic Directions Objective will be heard in the General Rules hearing (as well as the Natural and Cultural hearing):

<b>SUBMISSION POINT</b>	<b>SUBMITTER</b>	<b>TO BE HEARD IN</b>
#3721.193	Crown, regarding fresh water features and values	Natural and Cultural Heritage hearing General Rules hearing
#2458.7	Mahaanui Kurataiao Limited, regarding water quality	Natural and Cultural Heritage hearing General Rules hearing

8 Sought by the Crown at the Subdivision (Stage 3) pre-hearing meeting.

The following submission points that were deferred from the Stage 2 Specific Purpose hearing, that relate to airport noise issues:

SUBMISSION POINT	NOTIFIED PROVISION	TO BE HEARD IN
#2348.169 Christchurch International Airport Limited	Rule 21.6.2.2.4 Specific Purpose (Schools) Zone – add a new non-complying activity rule (NC2) for sensitive activities in the School Zone that are within the airport noise contour.	General Rules and Procedures Hearing <sup>9</sup>
#2348.170 Christchurch International Airport Limited	Rule 21.7.2.2.4 Specific Purpose (Tertiary Education) Zone – add a new non-complying activity rule (NC2) for sensitive activities in the Tertiary Education Zone that are within the airport noise contour.	General Rules and Procedures Hearing <sup>10</sup>
#FS-2832 Ministry of Education	Opposes Christchurch International Airport Limited's submission points #2348.169 and #2348.170.	General Rules and Procedures Hearing <sup>11</sup>

<sup>9</sup> Updated pre-hearing meeting memorandum for Specific Purpose (Stage 2), dated 13 August 2015 at paragraph 2.4.

<sup>10</sup> Updated pre-hearing meeting memorandum for Specific Purpose (Stage 2), dated 13 August 2015 at paragraph 2.4.

<sup>11</sup> Updated pre-hearing meeting memorandum for Specific Purpose (Stage 2), dated 13 August 2015 at paragraph 2.4.

**Chapter 7 – Transport (part)**

**There will NOT be a Stage 3 Transport Proposal hearing.**

The following provisions, and submissions on them, will be heard in the following hearings:

<b>NOTIFIED PROVISION</b>	<b>NOTIFIED PROVISION</b>	<b>TO BE HEARD IN</b>
Matters of Discretion 7.3.21.4 to 7.3.21.8	Formation of unformed legal roads	Natural and Cultural Heritage hearing <sup>12</sup>
Advice note in Appendix 7.12	Road classification system, and consequentially Figures 7.17(a) and 7.17(e) Road Classification Maps (being those maps that include the Central City area)	Central City hearing <sup>13</sup>

For completeness, we note that the Matters of Discretion 7.3.21.4 to 7.3.21.8, Advice note in Appendix 7.12, and Figures 7.17(a) and (e) although being heard in separate hearings, will remain located in Chapter 7 Transport of the pRDP/RDP.<sup>14</sup>

12 The Council originally sought that these provisions be heard in the Stage 3 Coastal Environment Hearing in its Memorandum of Counsel filed in advance of the pre-hearing meeting for Transport Stage 3 (part) dated 19 October 2015 at paragraph 3. However, at the Subdivision prehearing meeting it was directed that these provisions be heard in the Stage 3 Natural and Cultural Heritage hearing instead, see Transport prehearing transcript at page 1.

13 As sought in the Memorandum of Counsel filed in advance of the pre-hearing meeting for Transport Stage 3 (part) at paragraph 3.

14 Although, we further note the Council will seek that the Advice Note in Appendix 7.12 be deleted.

## Chapter 8 – Subdivision, Development and Earthworks (part)

### There will NOT be a Stage 3 Subdivision, Development and Earthworks Proposal hearing

The following provisions, and submissions on them, will be heard in the following hearings:<sup>15</sup>

NOTIFIED PROVISION	NOTIFIED PROVISION	TO BE HEARD IN
Rule 8.8.2 - Table 1	Maximum Volumes – earthworks – Specific Purpose (f) volume (i.e. Specific Purpose (Flat Land Recovery) Zone volume)	Specific Purpose (Flat Land Recovery) hearing
Appendix 8.6.4 and Appendix 8.6.5	North Halswell Outline Development Plan Buchanans Road Outline Development Plan	Residential New Neighbourhood hearing <sup>16</sup>
All other Stage 3 notified Subdivision, Development and Earthworks (Stage 3) provisions		Natural and Cultural Heritage hearing

For completeness, we note that the Subdivision, Development and Earthworks provisions referred to above, although being heard in separate hearings, will remain located in Chapter 8 Subdivision, Development and Earthworks of the pRDP/RDP.

15 The Council originally sought that some of these provisions be heard in the Stage 3 Coastal Environment Hearing in its Memorandum of Counsel filed in advance of the pre-hearing meeting for Subdivision Stage 3 (part) dated 20 October 2015 at paragraph 3. However, at the Subdivision prehearing meeting it was directed that those provisions be heard in the Stage 3 Natural and Cultural Heritage hearing instead, see Subdivision prehearing transcript at pages 4-5.

16 Minute New Neighbourhood Provisions, Directions – scope of hearing, dated 26 August 2015 (referring to the Council's memorandum of 19 August 2015).



**Definitions to be heard in the Subdivision, Development and Earthworks (Stage 3) hearing:**

Environmental compensation

### Scope of hearing

The Natural and Cultural Heritage (Stage 3) hearing consists of all of Stage 3 Natural and Cultural Heritage Proposal as notified (including any associated planning maps), with the **addition of** the following notified provisions:

- Transport (Stage 3) provisions:
  - Matter of Discretion 7.3.21.4 to 7.3.21.8 Formation of unformed legal roads.<sup>17</sup>
  
- Subdivision (Stage 1) provisions:<sup>18</sup>
  - Objective 8.1.1;
  - Policies 8.1.1.1, 8.1.1.2, 8.1.1.3;
  - Rules at section 8.3.7;
  - Assessment matters at 8.5.2;
  - Provisions that relate to the Industrial General Zone (North Belfast) (8.4.1.1 RD 4 and associated matters of discretion 8.4.1.3 (18) and (19)).<sup>19</sup>
  - Inclusion of RD activity in 8.3.7.1 and related matter of discretion (8.3.7.3) regarding land in silent file areas.<sup>20</sup>
  
- Subdivision (Stage 3) provisions:
  - Rule 8.3.1.1, RD2, restricted discretionary standard 5;
  - Matter for discretion 8.3.1.5, Rural Banks Peninsula sub-paragraph (a) (part) and Coastal Environment sub-paragraph (i) (part) and (k)-(l);
  - Rule 8.3.7.1 RD3 - RD5;
  - Matters for discretion 8.3.7.3 (13)-(32);
  - Objective 8.7.1(2)
  - Policies 8.7.1.1-8.7.1.4
  - Rule 8.8.2, P1, activity standards 9-10;
  - Rule 8.8.2, P3;

17

The Council originally sought that this provision be heard in the Stage 3 Coastal Environment Hearing in its Memorandum of Counsel filed in advance of the pre-hearing meeting for Transport Stage 3 (part) dated 19 October 2015 at paragraph 6. However, at the Transport prehearing meeting it was directed that these provisions be heard in the Stage 3 Natural and Cultural Heritage hearing instead.

18

Minute, Deferral of Natural and Cultural Heritage Provisions dated 5 June 2015.

19

Subdivision Opening Submissions for Council (Stage 1) dated 22 June 2015, at paragraph 2.3.

20

Joint application the Council and MKT/TRONT regarding silent files dated 14 May 2015 at paragraph 7 and 8; Order from Panel dated 15 May 2015.

- Rule 8.8.2 - Table 1 – Maximum Volumes – earthworks – clarification note (3);
  - Rule 8.8.3, RD3 and RD8;
  - Rule 8.8.6 (1)(c)(iii)(b); and
  - Matters of discretion 8.8.7(5)(e) – (g) and (6)(b).
- Utilities and Energy (Stage 3) provisions:
    - Policy 11.1.2.1: Adverse effects from utilities – references added to paragraph 1(a) and new paragraph 1(b) inserted.
    - Rule 11.3.1.1 Permitted Activities: General – new standards added to P1 and P2.
    - Rule 11.3.2.1 Permitted Activities: Electricity transmission and distribution – new standards added to P1.
    - Rule 11.3.3.1 Permitted Activities: Energy – new standards added to P1 and P5.
    - Rule 11.3.3.2 Restricted Discretionary Activities: Energy – new references added to RD6.
    - Rule 11.3.3.3 Discretionary Activities: Energy – new text added to D1 and D2.
    - Rule 11.3.4.1 Permitted Activities: Communications facilities – new standards and text added to P1.<sup>21</sup>
    - Assessment Matters 11.4: Utilities – new matters (a), (c) and (d) added to Heritage and Natural Environment.
- Commercial and Industrial (Stage 1) - Cultural provisions for the Industrial General (North Belfast) zone being:<sup>22</sup>
    - Rule 16.2.7.1.1 P1 (a)(iii) and (iv);
    - Rule 16.2.7.1.2 RD1;
    - Rule 16.2.7.2.4;
    - Matter of Discretion 16.2.7.3.1 (d), (e), (f), (g) and (h) (Outline Development Plan);
    - Matter of Discretion 16.2.7.3.3 (Silent File); and
    - Matter of Discretion 16.2.7.3.4 (Springs).

21 This does not include Standard (3), which is not shown in grey highlighting and has been directed by the Panel to be renotified, at the Utilities and Energy pre-hearing meeting on 29 October 2015.

22 Joint memorandum of counsel dated 30 April 2015; Approved in Panel Minute dated 6 May 2015.

- Rural (Stage 3) provisions:<sup>23</sup>
  - Rule 17.2.2.3 new matters of discretion added to RD1-RD5
  - Rule 17.2.2.4 references added to matters of discretion D1-D5
  - Rule 17.2.3.2 building reflectivity;
  - Rule 17.2.3.3 identified important ridgelines;
  - 17.2.3.4 landscape buffer;
  - Rule 17.2.3.5 new matters of discretion;
  - Rule 17.2.3.6 new matters of discretion;
  - Rule 17.2.3.8 new matters of discretion;
  - Rule 17.2.3.9 new matters of discretion;
  - Rule 17.2.3.12 new matters of discretion;
  - Rule 17.2.3.13 new matters of discretion;
  - Rule 17.4.2.3 new matters of discretion in RD1-RD5;
  - Rule 17.4.2.4 new matters of discretion in D1-D4;
  - Rules 17.4.3.2 - 17.4.3.5 new matter of discretion;
  - Rule 17.4.3.8 new matter of discretion;
  - Rule 17.5.2.3 new matters of discretion in RD1 – RD5;
  - Rule 17.5.2.4 new matter of discretion in D1-D2;
  - Rules 17.5.3.2 – 17.5.3.5 new matter of discretion;
  - Rule 17.5.3.7 new matter of discretion;
  - Matter of Discretion 17.8.1.9 Building reflectivity – Rural Banks Peninsula;
  - Matter of Discretion 17.8.1.10 Important identified ridgelines – Rural Banks Peninsula;
  - Matter of Discretion 17.8.3.1 Coastal environment;
  - Matter of Discretion 17.8.3.2 Significant landscape – Rural Banks Peninsula;

For completeness, we note the provisions referred to above, although heard in the Natural and Cultural Heritage hearing, will remain located in their respective chapters in the pRDP/RDP.

23 The Council originally sought that some of these provisions be heard in the Stage 3 Coastal Environment Hearing in its Memorandum of Counsel filed in advance of the pre-hearing meeting for Rural Stage 3 (part) dated 19 October 2015 at paragraph 3 and 6. However, at the Rural prehearing meeting it was directed that these provisions be heard in the Stage 3 Natural and Cultural Heritage hearing instead, see Rural prehearing transcript at page 1.

**Definitions to be heard in the Natural and Cultural Heritage (Stage 3) hearing:**

**List of definitions for Natural Cultural Heritage (Stage 3)**

Alternation of a heritage item	Indigenous vegetation <sup>24</sup>
Alteration of a heritage setting	Indigenous vegetation clearance <sup>25</sup>
Building	Landscape
Care facilities	Maintenance
Christchurch City	Mast
Community facility	Minor pruning
Conservation activities	Naturalness
Cultural heritage	Ngai Tahu/Manawhenua
Cultural heritage sites <sup>26</sup>	Park management activities
Customary harvesting	Park management facility
Demolition	Place of assembly
Dripline	Planation forestry
Earthworks	Pre-school facility
Education activity	Public open space
Emergency	Quarrying activity
Farm building	Reconstruction
Farming	Recreation activity
Formed/Formation	Recreation facility
Health care facility	Relocation of a heritage item
Height	Repairs
Heritage	Restoration
Heritage fabric	Sign/Signage
Heritage investigative and temporary works	Significant indigenous vegetation <sup>27</sup>
Heritage item	Silent files
Heritage setting	Site
Heritage upgrade works	Site of Ngāi Tahu cultural significance
Heritage values	Spring <sup>28</sup>
Historic heritage	Substance
Historic heritage place	Unformed legal road
Identified building area	Utility
Indigenous biodiversity	Wahi tapu
Indigenous fauna <sup>29</sup>	Wahi taonga

Submitter requested definitions:

Access track
Ancillary equipment
Conservation plan
Customary use
Environmental compensation

24 Direction of the Panel dated 5 June 2015 at paragraph 4(a)(ii)(3).

25 Direction of the Panel dated 5 June 2015 at paragraph 4(a)(ii)(3).

26 Christchurch City Council opening submissions for Stage 1 Definitions hearing dated 10 July 2015, paragraph 6.2, and Evidence in Chief of Carline Rachlin for the Stage 1 Definitions hearing at paragraph 3.1 in relation to the definitions for: cultural heritage, cultural heritage sites, heritage, site of Ngai Tahu cultural significance.

27 Direction of the Panel dated 5 June 2015 at paragraph 4(a)(ii)(3).

28 Conferencing Statement, Subdivision Proposal dated 30 June 2015; Christchurch City Council Opening Submissions – Subdivision Proposal dated 22 June 2015.

29 Direction of the Panel dated 5 June 2015 at paragraph 4(a)(ii)(3).

Environmental service
Golf amenity management activities
Heritage area
Heritage conservation
Improved pasture
Maintenance <sup>30</sup>
Naturally uncommon ecosystems
Partial demolition
Preservation
Preservation (Heritage)
Protective material
Regenerated indigenous vegetation
Reinstatement
Sites of ecological significance
Stabilisation

**Directions made on Submission Points**

The following submission points will be heard in the Natural Cultural and Heritage (Stage 3) hearing:

<b>SUBMISSION POINT</b>	<b>NOTIFIED PROVISION</b>	<b>TO BE HEARD IN</b>
#3721.298	Rule 8.8.4 Earthworks – delete Rule 8.8.4 and add a new non-complying activity rule for any activity within an 'overlay' identified in Table 1 to Rule 8.8.2 that does not comply with the specified volume limit	Natural and Cultural Heritage hearing <sup>31</sup>

The following submission points made in Stage 3 that are on Strategic Direction objectives that are in the Replacement District Plan (already subject to the Panel's Decision 1), will be heard in the Natural and Cultural Heritage hearing:

<b>SUBMISSION</b>	<b>STRATEGIC DIRECTION</b>	<b>TO BE HEARD IN</b>
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30 With respect to indigenous vegetation-related fencing, etc, as opposed to the existing Stage 3 *Maintenance* definition specific to heritage items and settings.

31 Sought by the Crown at the Subdivision pre-hearing meeting. In essence, this submission seeks a more stringent activity status for breaches of volumes applying to natural/cultural heritage overlays. Accordingly, the Crown considers this submission point is best dealt with in the Proposal 9 (Natural & Cultural Heritage)..

<b>POINT</b>	<b>OBJECTIVE</b>	
#3721.183	Objective 3.3.9 Natural and cultural environment	Natural and Cultural Heritage hearing

The following submission points made in Stage 3 that relate to alignment of the Natural and Cultural Heritage chapter with the Strategic Directions chapter, will be heard as follows:

<b>SUBMISSION POINT</b>	<b>SUBMITTER</b>	<b>TO BE HEARD IN</b>
#3556.7	Vodafone New Zealand Limited	Natural and Cultural Heritage hearing
#3674.1, 3674.100, 3674.2	Heritage NZ Pouhere Taonga	Natural and Cultural Heritage hearing
#3689.6	Enable Networks Limited	Natural and Cultural Heritage hearing

The following submission points seeking a new Strategic Directions Objective will be heard in the Natural and Cultural Heritage hearing (as well as the General Rules hearing):

<b>SUBMISSION POINT</b>	<b>SUBMITTER</b>	<b>TO BE HEARD IN</b>
#3721.193	Crown, regarding fresh water features and values	Natural and Cultural Heritage hearing General Rules hearing
#2458.7	Mahaanui Kurataiao Limited, regarding water quality	Natural and Cultural Heritage hearing General Rules hearing

**The Panel's decisions on the following matters have been deferred until after the Natural and Cultural Heritage (Stage 3) hearing has concluded:**

- Commercial Industrial (Stage 1) - Non-cultural North Belfast Provisions.<sup>32</sup>
- Subdivision (Stage 1) - Revised Objective 8.1.2(b) (this objective was not part of the notified Subdivision Proposal, but was proposed as a result of changes that were initially proposed to Objective 8.1.1 considered as part of Subdivision

32 Joint memorandum of counsel dated 30 April 2015; Approved in Panel Minute dated 6 May 2015.

(Stage 1) hearing. As Objective 8.1.1 forms part of the scope of this hearing, any consideration of Revised Objective 8.1.2(b) will depend on the outcome of the Panel's consideration of Objective 8.1.1).<sup>33</sup>

- The rezoning of the Port Hills – Worsley Spur sites, considered as part of the Residential (Stage 2) hearing.<sup>34</sup>

For completeness, these decisions do not form part of the Natural and Cultural environment hearing.

33 Subdivision Stage 1 Transcript dated 1 July 2015 at page 392.

34 Joint Memorandum, McVicar and Council, 13 October 2015 at paragraph 3.



## Chapter 10 – Designations (part)

The Designations (Stage 3) hearing will consist of all of Stage 3 Designations Proposal as notified, being the Ministry of Education designations to designate twenty-six existing State-Integrated schools. There are no definitions.

## Chapter 11 – Utilities and Energy (part)

### **There will NOT be a Stage 3 Utilities and Energy Proposal hearing.**

All of the notified Utilities and Energy (Stage 3) provisions will be heard in the Natural and Cultural (Stage 3) hearing:<sup>35</sup>

- Policy 11.1.2.1: Adverse effects from utilities – references added to paragraph 1(a) and new paragraph 1(b) inserted.
- Rule 11.3.1.1 Permitted Activities: General – new standards added to P1 and P2.
- Rule 11.3.2.1 Permitted Activities: Electricity transmission and distribution – new standards added to P1.
- Rule 11.3.3.1 Permitted Activities: Energy – new standards added to P1 and P5.
- Rule 11.3.3.2 Restricted Discretionary Activities: Energy – new references added to RD6.
- Rule 11.3.3.3 Discretionary Activities: Energy – new text added to D1 and D2.
- Rule 11.3.4.1 Permitted Activities: Communications facilities – new standards and text added to P1.<sup>36</sup>
- Assessment Matters 11.4: Utilities – new matters (a), (c) and (d) added to Heritage and Natural Environment.

For completeness, we note that the Utilities and Energy provisions, although being heard in the Natural and Cultural (Stage 3) hearing, will remain located in Chapter 11 Utilities and Energy of the pRDP/RDP.

The following definitions that relate to Utilities and Infrastructure will also be heard in the Natural and Cultural Heritage Proposal, as requested by the Crown:

Building
Mast

<sup>35</sup> As sought by the Council in the Memorandum of Counsel filed in advance of pre-hearing meeting for the Utilities and Energy (Stage 3) Proposal dated 21 October 2015 at paragraph 3.

<sup>36</sup> This does not include Standard (3), which is not shown in grey highlighting and has been directed by the Panel to be renotified, at the Utilities and Energy pre-hearing meeting on 29 October 2015.

**Chapter 13 – Central City Zones**

**Scope of hearing**

The Central City (Stage 3) hearing will consist of the Stage 3 Central City Proposal as notified, with the **addition of** the following provision from the Strategic Directions (Stage 3) hearing:

<b>SUBMISSION POINT</b>	<b>NOTIFIED STRATEGIC DIRECTION OBJECTIVE</b>	<b>TO BE HEARD IN</b>
All submissions on 3.3.8	Notified Strategic Objective 3.3.8(c) and (d) Revitalising the Central City (including submissions on Strategic Objective 3.3.8(a) and (b) and those seeking additional subclauses).	Central City hearing

And the following notified provisions being **removed**:<sup>37</sup>

<b>NOTIFIED PROVISIONS</b>	<b>TOPIC</b>	<b>TO BE HEARD IN</b>
13.7	Central City Open Space Zones	Open Space hearing
13.14	Central City General Rules and Procedures	General Rules and Procedures hearing
13.15	Central City Natural Hazards	Natural Hazards hearing

**Definitions to be heard in the Central City Zones (Stage 3) hearing:**

Access	Level crossing
Accessibility	Living area
Access lot	Loading
Accessory building	Loading area
Accessory building (non-residential)	Loading space

<sup>37</sup> As sought by the Council in its Memorandum filed in advance of the pre-hearing meeting for the Central City Proposal dated 19 October 2015 at paragraphs 2 and 5.

activity)	
Accessory building (residential activity)	Local roads
Access strip	Location
Access way	Lot
Act	Maintenance
Adjoining	Major sports activity
AEP	Major sports facility
Aggregate piers	Manoeuvre area
Allotment	Mast
Alteration of a heritage item	Mausoleum/Mausolea
Alteration of a heritage setting	Minor pruning
Amenity values	Minor sports activity
Ancillary food and beverage	Minor sports facility
Ancillary office activity	Mixed use
Ancillary retail activity	Modulation
Annual exceedance probability (AEP)	Monument
Antenna	Motorised craft
Approved building	Motorised sports activity
Archaeological site	Motor-servicing facility
Arterial roads	National grid
Articulation	Net floor area
Automotive and/or marine supplier	Net site area
Balcony	Network infrastructure
Boarding of domestic animals	Network utility operator
BOD5	Network waterway
Boundary	Ngāi Tahu/Manawhenua
Building	Office
Building consent platform	Off-site sign
Burial	Outdoor living space
Cabinet	Outdoor service space
Cafe	Outdoor storage area
Care facility	Outline development plan
Carriageway	Parking area
Cemetery	Parking building
Central City	Parking lot
Central City lane	Park management activities
Christchurch City	Park management facility
Christchurch District	Passive cemetery activities
Closed cemetery	Pedestrian access way
Commercial activities	PFA
Commercial centre	Plantation forestry
Commercial film or video production	Plot
Commercial services	Plot ratio
Community activity	Pool area
Community facility	Potable water
Community infrastructure	Pre-school
Community market	Pre-school activity
Comprehensive consent	Pre-school facility
Conservation	Pressurised injection
Conservation activities	Primary explosive substance
Construction work	Principal building
Contaminated land	Private way
Context and site analysis	Propellant explosive substance
Continuous building length	Public amenities
Corner site	Public artwork

Corrosive substance	Public open space
Council	Public transport facility
Cultural activity	Public transport interchange
Cultural facility	Quarrying activity
Customary harvesting	Radioactive material
Cycle way	Rear site
Demolition	Reconstruction
Department store	Recreation activity
Development	Recreation facility
Development contribution	Relocation of a building
Development plan	Relocation of a heritage item
Discrete	Renewable electricity generation
District Plan	Repairs
Disturbance of soil	Reserve
Domestic	Residential activity
Dripline	Residential amenity
Dtr,2m,nT,w+Ctr	Residential building platform
Duration of work	Residential unit
Earthworks	Restoration
Eco-toxic	Retail activity
Education activity	Retailing
Education facility	Reverse sensitivity
Emergency	Road
Emergency service facilities	Road boundary
Emergency services	Road reserve
Entertainment activity	Roadway
Entertainment facility	Rural roads
Erection of a building	Second-hand goods outlet
Esplanade reserve	Sense of place
Excavation	Sensitive activities
Explosive substance	Sensitive areas
Filling	Service industry
Financial contribution	Service lane
Flammable/Flammability	Service station
Floor level and fill management area	Setback
Food and beverage outlet	Shared space street
Formed/Formation	Sign/Signage
Freeboard	Significant indigenous vegetation
Frontage	Site
FTE	Site boundary
Garage	Site of Ngai Tahu cultural significance
GFA	Social housing
GLFA	Soil mixing
Grave	Sound amplified activity
Gross floor area (GFA)	Spill containment system
Gross leasable floor area (GLFA)	Spiritual activity
Ground floor area	Spiritual facility
Ground level	Storage
Grout	Strategic transport networks
Guest accommodation	Street furniture
Gymnasium	Student hostel accommodation
Habitable space	Subdivision
Hazardous facility	Substance
Hazardous substance	Supermarket
Health care facility	Surface water management structure

Heavy vehicle	Temporary activities
Height	Temporary activities and buildings
Heritage fabric	Tertiary education and research activity
Heritage investigative and temporary works	Theatre
Heritage item	Trade supplier
Heritage setting	Transmission
Heritage upgrade works	Transmission line corridor
Heritage values	Transport infrastructure
High flood hazard	Urban activities
Historic heritage	Use
Historic heritage place	Utility
Home occupation	Utility pole
Hospital	Utility structure
Hotel	Valuable tree
Human scale	Vault
Impervious surface	Vehicle access
Indigenous vegetation	Vehicle crossing
Indigenous vegetation clearance	Vehicle movement
Industrial activity	Vehicle trip
In-situ mixing	Visibility splay
Installed	Wāhi taonga
Interface	Wāhi tapu
Interment	Waste management area
LAE	Water body
LAeq	Water body margin
LAmx	Water body setback
Land management activities	Wetland
Landscaping	Window
Legibility	Yard-based supplier

Terms defined in Proposal 2, used in the Central City Chapter (excluding the General Rules, Natural Hazards and Open Space sub-chapters) but not defined in section 13.17

EDM walking distance
Farming
Urban activities

**Submitter requested definitions:**

Ancillary equipment
Billboard
Community use
Conservation plan
Downstream waterway
Environmental asset
Heritage area
Heritage conservation
Improved pasture
Key facilities
Partial demolition
Preservation
Preservation (Heritage)
Public Open Space
Reinstatement

Stabilisation
The sale of alcohol until 4.00am
Upstream waterway
Urban activities

**Directions made on Submission Points**

The following submission point of the Crown will be heard in the Central City (Stage 3) hearing:

<b>SUBMISSION POINT</b>	<b>STRATEGIC DIRECTION OBJECTIVE</b>	<b>TO BE HEARD IN</b>
#3721.180	Objective 3.3.5 Business and economic prosperity	Central City hearing

## Chapter 15 – Commercial (part) – Richmond Men's Working Club

### Scope of hearing

- The Commercial Core Zoning of the Richmond Working Men's Club site at 311 Stanmore Road and 75 London Street, Richmond on Planning Map 32;
- Commercial (Stage 3) - 15.2.2.4 Discretionary Activity D6; and
- Commercial (Stage 3) - 15.2.2.1 Permitted Activity P1.

### Definitions included within the Richmond Working Men's Club hearing:

Supermarket
Department store



**There will NOT be a Stage 3 Rural Proposal hearing.**

The notified Stage 3 Rural provisions will be heard as follows:

- Notified Planning Maps 24 and 25 (to the extent that they zone Cranford Basin Rural) to be heard in the Cranford Basin Zoning (Stage 3) hearing.<sup>38</sup>
  
- The following notified provisions removed to the Natural and Cultural Heritage (Stage 3) hearing:<sup>39</sup>
  - Rule 17.2.2.3 new matters of discretion added to RD1-RD5
  - Rule 17.2.2.4 references added to matters of discretion D1-D5
  - Rule 17.2.3.2 building reflectivity;
  - Rule 17.2.3.3 identified important ridgelines;
  - 17.2.3.4 landscape buffer;
  - Rule 17.2.3.5 new matters of discretion;
  - Rule 17.2.3.6 new matters of discretion;
  - Rule 17.2.3.8 new matters of discretion;
  - Rule 17.2.3.9 new matters of discretion;
  - Rule 17.2.3.12 new matters of discretion;
  - Rule 17.2.3.13 new matters of discretion;
  - Rule 17.4.2.3 new matters of discretion in RD1-RD5;
  - Rule 17.4.2.4 new matters of discretion in D1-D4;
  - Rules 17.4.3.2 - 17.4.3.5 new matter of discretion;
  - Rule 17.4.3.8 new matter of discretion;
  - Rule 17.5.2.3 new matters of discretion in RD1 – RD5;
  - Rule 17.5.2.4 new matter of discretion in D1-D2;
  - Rules 17.5.3.2 – 17.5.3.5 new matter of discretion;
  - Rule 17.5.3.7 new matter of discretion;

38 Memorandum of Counsel filed in Advance of the pre-hearing meeting for commercial Stage 3(part), specifically regarding the rezoning of the Richmond Working Men's Club dated 19 October 2015

39 The Council originally sought that some of these provisions be heard in the Stage 3 Coastal Environment Hearing in its Memorandum of Counsel filed in advance of the pre-hearing meeting for Rural Stage 3 (part) dated 19 October 2015 at paragraph 3 and 6. However, at the Rural prehearing meeting it was directed that these provisions be heard in the Stage 3 Natural and Cultural Heritage hearing instead, see Rural prehearing transcript at page 1.

- Matter of Discretion 17.8.1.9 Building reflectivity – Rural Banks Peninsula;
- Matter of Discretion 17.8.1.10 Important identified ridgelines – Rural Banks Peninsula;
- Matter of Discretion 17.8.3.1 Coastal environment;
- Matter of Discretion 17.8.3.2 Significant landscape – Rural Banks Peninsula;

For completeness, we note the Rural (Stage 3) provisions referred to above, although being heard in the Natural and Cultural Heritage (Stage 3) hearing, will remain located in Chapter 17 Rural of the pRDP/RDP.

## Chapter 21 – Specific Purpose Zones (part)

### Scope of hearing

The Specific Purpose Zones (Stage 3) hearing will consist of:

- All of 21.11 Flat Land Recovery; and
- All of 21.12 Burwood Landfill and resource Recovery Park).

with the **addition** of the following provision from Subdivision (Stage 3) hearing:<sup>40</sup>

- Notified Rule 8.8.2 – Table 1 – Maximum Volumes – earthworks – Specific Purpose (f) volume (i.e. Specific Purpose (Flat Land Recovery) Zone volume from the Subdivision (Stage 3) hearing.

But with the **removal** of:

- Notified Section 21.10.2.4 Built Form Standards for Ruapuna Motorsport Zone, to instead be a part of a separate process under the Order in Council that can be confirmed when there is more certainty as to the content of the provisions that are to be subject to a section 293 process in the Environment Court.<sup>41</sup>

For completeness, we note that Rule 8.8.2 – Table 1, although being heard in the Specific Purpose Zones (Stage 3) hearing, will remain located in Chapter 8 Subdivision of the pRDP/RDP.

### Definitions included within the Specific Purpose (Stage 3) hearing:

Accessory building
Adjoining
Building
Commercial activities
Community facility
Community infrastructure
Earthquake waste
Earthquake waste processing activities
Gross floor area
Hazardous substance

40 As sought by the Council in its Memorandum of Counsel filed in advance of the pre-hearing meeting for the Stage 3 Specific Purpose Zones dated 20 October 2015 at paragraph 2.2.

41 As sought by the Council in its Memorandum of Counsel filed in advance of the pre-hearing meeting for the Stage 3 Specific Purpose Zones dated 20 October 2015 at paragraph 2.1.

Land management activities
Minor residential unit
Multi-unit residential complex
Residential activity
Residential unit
Road
Site
Subdivision
Utility

### Stage 3: Cranford Basin Rezoning Hearing

#### Scope of hearing

There is no notified Proposal for this hearing per se, but the hearing is on the notified zoning for the land within the Cranford Basin Planning Maps 24 and 25 (in so far as they zone Cranford Basin Rural).<sup>42</sup>

<sup>42</sup> As stated by the Council in its Memorandum of Counsel filed in advance of the pre-hearing meeting for the Cranford Basin Rural Proposal (Stage 3) dated 20 October 2015 at paragraph 2.

## Chapter 2 Definitions (Stages 2 and 3 combined)

### Scope of hearing

The Definitions (Stages 2 and 3) hearing will consist of all of Stage 2 and Stage 3 Definitions Proposals as notified, including the Central City definitions in 13.17, with the **addition of** the following definitions:

- Definitions (Stage 1) – because decision making was deferred at the Stage 1 hearing:

Cleanfill	Indigenous fauna
Contaminated land	Indigenous vegetation
Cultural heritage	Indigenous vegetation clearance
Cultural heritage sites	Mineral extraction activity
Education facility	Outline development plan
Electricity distribution	Recreation activity
Electricity distribution line	Relocated building
Electricity distribution line corridor	Removal of a building
FSC certified hardwood	Resiting of a building
Habitable building	Significant indigenous vegetation
Hazardous facility	Site of Ngāi Tahu cultural significance
Heritage	Spring
Impervious surface	Support structure

- Submitter-requested definitions in Stage 2:

Airport purposes	Gross ground floor area
Amateur radio configurations	Heavy industrial activity
Amateur radio operators	Landfill
Ancillary equipment	Lighting
Aquaculture	Major hazard facility
Artificial crop protection structures	Navigational aid
Artificial watercourse	Papakainga
Billboard	Potentially contaminated
Birdstrike risk	Relocated building
Camping ground	Removal of a building
Character area	Resiting of a building
Continuous building frontage	Resort hotel bedroom
Crop support structures	River
Cultivation	Rural character
Digital sign	Rural viticulture activity
Early childhood and care centre	Short term stays
Electricity distribution	Street
Electricity distribution corridor	Support structure
Electricity distribution line	Sustainability
Engine testing	Sustainable
Family flats	Urupa
FSC Certified Hardwood	Works for the purpose of earthquake recovery

Greenhouses	
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- Submitter-requested definitions in Stage 3:

Access track	Land management activity
Ancillary equipment	Maintenance
Conservation plan	Naturally uncommon ecosystems
Customary use	New structure
Defence against water	Partial demolition
Earthquake waste	Preservation
Environmental compensation	Preservation (Heritage)
Environmental service	Protective material
Golf amenity management activities	Regenerated indigenous vegetation
Heritage area	Reinstatement
Heritage conservation	Stabilisation
Improved pasture	Sites of ecological significance

- Submitter-requested definitions in Central City Stage 3:

Ancillary equipment	Partial demolition
Billboard	Preservation
Community use	Preservation (Heritage)
Conservation plan	Public open space
Downstream waterway	Reinstatement
Environmental asset	Stabilisation
Heritage area	The sale of alcohol until 4.00am
Heritage conservation	Upstream waterway
Improved pasture	Urban activities
Key facilities	

**The decisions on the following matters have been deferred until the above matters have been heard in the Definitions (Stages 2 and 3) hearing:**

- Definitions (Stage 1):
  - Indigenous fauna;<sup>43</sup>
  - Indigenous vegetation;<sup>44</sup>
  - Indigenous vegetation clearance;<sup>45</sup>
  - Significant indigenous vegetation.<sup>46</sup>
  - Spring<sup>47</sup>

43 Direction of the Panel dated 5 June 2015 at paragraph 4(a)(ii)(3).

44 Direction of the Panel dated 5 June 2015 at paragraph 4(a)(ii)(3).

45 Direction of the Panel dated 5 June 2015 at paragraph 4(a)(ii)(3).

46 Direction of the Panel dated 5 June 2015 at paragraph 4(a)(ii)(3).

47 Council's opening legal submissions Stage 1 Definitions Hearing; Christchurch City Council Opening Submissions – Subdivision Proposal dated 22 June 2015. We note this definition will also be heard in the Stage 2 and 3 combined General Rules and Stage 3 Natural and Cultural Heritage hearings.

## Chapter 18 – Open Space (Stages 2 and 3 combined)

### Scope of hearing

The Open Space (Stages 2 and 3) hearing consists of all of the Stage 2 and Stage 3 Open Space Proposals as notified, with the **addition of** the following provisions:

- All Stage 1 waterways and their margins;<sup>48</sup>
- The zoning of 71 particular parcels of land zoned in Stage 1 as residential, commercial or industrial zone but renotified in Stage 2 with an Open Space Zone;<sup>49</sup>
- Central City (Stage 3) – 13.7 Open Space Zones;<sup>50</sup> and
- Relevant Central City Definitions from 13.17, which are included in the definitions list below

### Definitions included within the Open Space hearing:

Access
Access way
Accessibility
Accessory building (non-residential activity)
Act
Adjoining
Air noise boundary
Amenity tree planting
Amenity values
Ancillary office activity
Ancillary retail activity
Ancillary sports and fitness health care services
Approved building
Boundary
Building
Building GR&P
Central City
Christchurch district
Club room / clubhouse
Commercial fishing
Community facility
Community market
Conservation

48 As sought by the Council in its Application to set aside land from Stage 1 Proposals dated 17 June 2015 and granted by the Panel on 26 June 2015.

49 As sought by the Council in its Application to set aside land from Stage 1 Proposals dated 17 June 2015 and granted by the Panel on 26 June 2015.

50 As sought by the Council in its Memorandum of Counsel in advance of pre-hearing meeting for Central City (Stage 3) dated 19 October 2015 at paragraphs 5 and 6.



Conservation activities
Contaminated land
Council
Cultural facility
Customary harvesting
Cycle way
Development
Emergency
Emergency service facilities
Emergency services
Esplanade reserve
Excavation
Existing forestry
Event
Farm building
Farming
Farm stay
Filling
Floor level and fill management area
Food and beverage outlet
Frontage
Gross floor area
Gross leasable floor area
Ground level
Guest accommodation
Gymnasium
Hazardous substance
Healthcare facility
Height
Heli-landing area
Heritage item
Heritage setting
Historic heritage
Historic heritage place
Impervious surface
Indigenous vegetation
LA <sub>max</sub>
Landscape
Landscaping
Ldn
Living area
Loading
Location
Lot
Maintenance
Major sports activity
Major sports facility
Minor sports activity
Minor sports facility
Mixed use
Modulation
Motorised craft
Motorised sports activity
Motorised sports facility
Ngāi Tahu/Manawhenua

Office
Outdoor storage area
Park management activities
Park management facility
Parking area
Plantation forestry
Public amenities
Public artwork
Public open space
Public transport facility
Recreation activity
Recreation facility
Reserve
Residential activity
Residential unit
Restoration
Retail activity
Road
Rural tourism activity
Rural tourism facility
Sensitive activities
Setback
Sign / signage
Site
Site boundary
Sound amplified activity
Subdivision
Substance
Surface water management structure
Temporary activities
Temporary activities and buildings
Transport infrastructure
Use
Vehicle access
Vehicle movement
Wahi taonga
Wahi tapu
Water body
Water body margin
Water body setback
Wetland
Wildlife park / zoo
Window

**Submitter requested definitions:**

Camping ground
Conservation plan
Heritage area
Sustainable
Sustainability