

**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

**UPDATED MEMORANDUM OF COUNSEL ON BEHALF OF CHRISTCHURCH CITY
COUNCIL IN RESPONSE TO THE PANEL'S MINUTE DATED 29 SEPTEMBER 2015
REGARDING SCOPE OF STAGE 2 AND 3 HEARINGS**

12 OCTOBER 2015

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MAY IT PLEASE THE PANEL:

1. This memorandum of counsel is filed on behalf of the Christchurch City Council (**Council**) to correct some omissions/minor errors in the memorandum filed on 5 October 2015. For ease of reference the entire memorandum is being refiled with the errors corrected, which appear in:
 - 1.1 Schedule B – Stage 3: Chapter 3 – Strategic Directions (part) at page 14
 - 1.2 Schedule B – Stage 3: Chapter 8 – Subdivision, Development and Earthworks (part) at page 17;
 - 1.3 Schedule B – Stage 3: Chapter 11 – Utilities and Energy (part) at page 22; and
 - 1.4 Schedule B – Stage 3: Chapter 21 – Specific Purpose (part) at page 29.

2. All changes are highlighted in **grey** for ease of reference.

Text from memorandum dated 5 October 2015

3. This memorandum of counsel is filed on behalf of the Council in response to the minute of the Panel dated 29 September 2015. That minute directed the Council to provide a schedule identifying the scope of all Stage 2 and 3 hearings.

4. As noted in the Panel's minute, the Council has (as have other submitters) made a number of requests for the hearing of, and/or decisions on, parts of proposals on the proposed Christchurch Replacement District Plan (**pRDP**) to be deferred to later stages or transferred to other hearings within a stage. The Panel has also requested that the Council indicate the parts of proposals or submissions points that they are intending to request deferral (or transfer) of for Stage 3 matters.

5. In response to the Panel's direction, we **attach** the following Schedules which show the content of each of the Stage 2 and 3 hearings:

- 5.1 **Schedule A:** Stage 2 Hearings;
- 5.2 **Schedule B:** Stage 3 Hearings;
- 5.3 **Schedule C:** combined Stage 2 and 3 Hearings (ie, where provisions were notified in Stage 2 but the Panel directed that there be no Stage 2 hearing, instead the Stage 2 provisions are to be heard alongside the equivalent topic chapter in Stage 3).

Rezoning submission points

- 6. The Schedules do not include submission points seeking re-zoning of a specific area of land from a notified zone to an alternate zone. The Panel directed in each of the Stage 2 pre-hearing meetings that evidence on rezonings (from both Council and submitters) should be brought in both the hearing of the notified zoning of the land and the hearing for the zoning that the submitter is seeking to be rezoned to. That direction means in effect, that evidence should be produced in the hearing that is 'first in time'. The detailed rule package for the land zonings, will be determined by the Hearings Panel in the context of the topic specific chapter (which may mean the 'second in time' hearing). The Council has been proceeding on this basis, and rezonings therefore fall within the scope of two hearings (and sometimes more than two, when a submitter includes alternate relief to different zone types). An example of this is Castle Rock Limited's submission (#2168) on 125 Scruttons Road, where the site was notified as Rural Urban Fringe, and Castle Rock seek that it be rezoned a mixture of residential zones, or alternatively that it be rezoned industrial general. This submission point will be allocated to all three hearings.

Rezoning submission points that require consideration of Stage 3 Natural Hazards and Natural Cultural and Heritage

- 7. There are some rezoning submissions where Proposals 5 (Natural Hazards) and 9 (Natural Cultural and Heritage) are also of relevance. This is where a site sought to be rezoned is located within a Natural Hazard overlay on the Natural Hazards planning maps in Stage 3, or similarly the land is identified as, for example, a site of ecological significance through the Natural Cultural and Heritage Proposal in Stage 3.
- 8. Castle Rock Limited's submission on 125 Scruttons Road is an example of a rezoning that requires consideration of Natural Hazards, Stage 3. As

mentioned above Castle Rock Limited seek a rezoning from notified Rural Urban Fringe (so within scope of Rural Stage 2 hearing) to a mix of Residential zonings (so within scope of Residential Stage 2 hearing). Evidence on this rezoning has already been filed by the submitter and Council in the Stage 2 Residential hearing. The Council will also be calling evidence on the Natural Hazard overlays in Stage 3, as the site is located within the Category 1 Coastal Inundation and Erosion Management Areas,¹ and the High Hazard Flood Area (Natural Hazards Stage 3 hearing). Castle Rock has made a submission in Stage 3 seeking that the overlays be removed from the site (#3554). The Council respectfully considers that a decision on the appropriateness of the rezoning submission point should not be made until after the Hearings Panel has heard evidence on each of these Natural Hazards in Stage 3 and made a decision as to whether the Natural Hazard overlay should remain over the site.

9. An example of a rezoning submission that the Panel should not make a decision on until after the Panel has heard the Natural Cultural and Heritage Stage 3 Proposal, is Fulton Hogan Limited's (#2625) rezoning submission for the Templeton Golf Course. The submissions seeks rezoning of the Templeton Golf Course Site from Open Space Community Parks Zone to Rural Quarry Zone, and of the adjacent Pound Road Quarry, from Rural Quarry Zone to Open Space Community Parks Zone (so the submission point falls within the scope of the combined Stage 2 and 3 Open Space and Rural Stage 2 hearings). The Templeton Golf Course is also listed as a site of ecological significance in Proposal 9, Natural and Cultural Heritage, and Fulton Hogan has made a submission in Stage 3 of that listing (#3482). A decision on the appropriateness of the rezoning submission point should not be made until after the Hearings Panel has heard evidence on the Site of Ecological Significance listing in Stage 3 and made a decision as to whether it should remain over the Golf Course.
10. The Council does not consider that the *hearing and evidence on the appropriateness of these rezonings sought* should be "deferred" until the Stage 3 Natural Hazards and Natural Cultural and Heritage hearings respectively, but considers that the Panel should not make a decision on the rezoning, until it has heard the Stage 3 evidence. The Council considers that the existence of

¹ Council notes that at the time of filing this memorandum, the Minister has not made any official decisions or there is no Order in Council officially withdrawing the "Coastal Natural Hazards".

the Stage 3 features are directly relevant to whether the rezoning is appropriate or not.

11. Council would be happy to work with the Secretariat to establish a table identifying rezoning submissions points where the land is subject to a Stage 3 Natural Hazard or Natural and Cultural Heritage listing in Proposal 9.

DATED this 12th day of October 2015



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

KEY TO ALL SCHEDULES

The content of each hearing is listed in the Schedules that follow.

The starting position for each hearing is the Proposal as notified. Following that is a **REMOVE** table that identifies provisions that are deferred / transferred from the hearing on that Proposal, to another hearing. Those provisions fall into two categories:

- 1) provisions that are uplifted in their entirety and deferred / transferred to another hearing (ie no evidence will be heard in the hearing they are deferred from); and
- 2) provisions that are heard alongside their notified proposal but where the *decision* on that matter is deferred to a later hearing (evidence may also be brought in that later hearing).

Where provisions have been deferred / transferred in to another hearing, they are listed on the **ADD** to table. Again, those provisions fall into two categories:

- 1) provisions that have been uplifted in their entirety and deferred / transferred to the listed hearing; and
- 2) provisions that were heard alongside their notified proposal but where the *decision* on that matter is deferred to the listed hearing (evidence may also be brought in the listed hearing).

For each deferral / transfer, the document that provides the source of the change is listed in the footnote.

No hearing

In Stage 3 a number of Proposals were notified, however there is not necessarily a hearing for each of those Proposals. A number of the Stage 3 Proposals are on confined matters and more appropriately can be combined with another Proposal. Those situations are detailed in the Schedules, and it is clearly shown where no hearing is required.

Matters where a deferral or transfer has not yet been sought

If there are matters that should be deferred or transferred to a different hearing, but that has not yet formally been sought (generally Stage 3 matters), then that matter is still listed and **coloured blue**. This largely applies to the Central City, Stage 3 chapter. It is assumed that these matters will need to be confirmed at the upcoming Stage 3 pre-hearing meetings.

SCHEDULE A: STAGE 2 HEARINGS

Stage 2: Chapter 1 – Introduction (part)

All of Stage 2 Introduction Proposal as notified, there are no matters to **REMOVE** and no further matters to **ADD** to this hearing.

Stage 2: Chapter 4 – Papakainga Zone

All of Stage 2 Papakainga Zone Proposal as notified, there are no matters to REMOVE and no further matters to ADD to this hearing.²

² For completeness, we note the joint memorandum of the Crown, Council and Ngai Tahu (dated 14 August 2015) seeking deferral of relevant parts of the Stage 2 Subdivision Proposal to this Papakainga hearing. That application was declined in the Minute of the Panel dated 18 September 2015.

Stage 2: Chapter 7 – Transport (part)

All of Stage 2 Transport Proposal as notified, except **REMOVE**:

Matters from notified Proposal not included in Hearing	Matter deferred (move to)	Decision deferred (move to)
Zoning of land between Lyttelton Harbour and Church Land (shown on Map 60). ³		Combined Stage 2 and 3 Open Space Hearing

And **ADD TO** the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Submissions on Stage 1 15.5.2.1 (P17 and P18) and Appendix 15.9.10 (Lyttelton master plan overlay area) relating to the Lyttelton Farmers Market. ⁴	Stage 1 Commercial & Industrial	
All Stage 1 land covered by roads, apart from paper roads (these roads were not shown on the Stage 1 maps but are shown on the Stage 2 maps). ⁵		Stage 1 Residential Stage 1 Commercial & Industrial

³ Transcript for Transport (Stage 2) hearing at page 27. Closing legal submissions for the Crown Transport (Stage 2) dated 1 October 2015 at paragraphs 32 and 33.

⁴ Memorandum of counsel for Council dated 4 April 2015 at paragraph 6. Deferral approved in Panel Minute of 23 April 2015. Also recorded in Transport (stage 2) Updated Statement of Issues, Issue 2 and Transport (stage 2) pre-hearing report and directions at paragraph 3.

⁵ Application to Set Aside Land from Stage 1 Proposals, where the land has been re-notified in Stage 2 Proposals dated 17 June 2015 at paragraph 3.

Stage 2: Chapter 8 – Subdivision, Development and Earthworks (part)

All of Stage 2 Subdivision Proposal as notified, except **REMOVE**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
All matters relating to Residential New Neighbourhood (for a full list, please see page 29 where the entire scope for the Residential New Neighbourhood Hearing is listed).	Residential New Neighbourhood	

And **ADD TO** the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Appendix 8.6.6 Halswell West Outline Development Plan. ⁶		Subdivision (Stage 1)

6 Memorandum of counsel for Council dated 24 September 2015 at paragraph 2; and Minute dated 28 September 2015 at paragraph 9. This Appendix was notified in Stage 1 and accidentally left open for submission in both Stage 2 and Stage 3. There were no Stage 3 submissions on the Appendix (hence it is able to be dealt with in this hearing).

Stage 2: Chapter 10 – Designations (part)

All of Stage 2 Designations Proposal as notified, there are no matters to REMOVE and no further matters to ADD to this hearing.

Stage 2: Chapter 11 – Utilities, Energy and Infrastructure

All of Stage 2 Utilities, Energy and Infrastructure Proposal as notified, there are no matters to REMOVE and no further matters to ADD to this hearing.

Stage 2: Chapter 12 – Hazardous Substances and Contaminated Land

All of Stage 2 Hazardous Substances and Contaminated Land Proposals as notified, there is nothing to REMOVE from the hearing.

The follow is to be ADDED TO the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Hazardous Substances and Contaminated Land Proposal (Stage 1). ⁷	Hazardous Substances and Contaminated Land (Stage 1)	

⁷ Pre-hearing meeting Report and Directions (Stage 1 Hazardous Substances and Contaminated Land Proposal) dated 23 February 2015 at Direction A.

Stage 2: Chapter 14 – Residential (Part)

All of Stage 2 Residential Proposal as notified, except **REMOVE**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
Matters relating to Residential New Neighbourhood (for a full list, please see page 29 where the entire scope for the Residential New Neighbourhood Hearing is listed).	Residential New Neighbourhood	
Residential Bach zone provisions at 14.13 and the related Policy 14.1.5.9, Appendices 14.10.31 (Taylors Mistake Development Plan) and 14.10.31 (Scheduled Baches and Baches to be removed)). ⁸	Coastal Environment Hearing (Stage 3)	
Guest Accommodation Zone provisions at 14.5 (and associated maps). ⁹	Combined Stage 2 and 3 Chapter 6 General Rules	

And **ADD TO** the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Policy 14.1.5.6 – Heritage values in residential areas of Lyttelton and Akaroa. ¹⁰		Residential (Stage 1)
Policy 14.1.5.5 – Neighbourhood character and residential amenity in residential areas of Banks Peninsula. ¹¹		Residential (Stage 1)
Kauri Lodge Rest Home Submission (#1022). ¹²		Residential (Stage 1)
Residential Banks Peninsula Conservation Zone. ¹³	Residential (Stage 1)	

8 Council's pre-hearing meeting memorandum dated 3 August 2015 at paragraph 2.5 and granted at the Residential (Stage 2) pre-hearing meeting (see transcript page 36).

9 Hearing Panel Minute dated 3 September 2015.

10 Transcript from pre-hearing meeting for Residential (Stage 2) at page 9.

11 Memorandum of Counsel and Updated Statement of Issues for Residential (Stage 2) Hearing dated 11 August 2015 at paragraph 2.2 (page 3).

12 Approved as per Hearing Panel's direction dated 11 February 2015.

Stage 2: Chapter 15 – Commercial (part) and Chapter 16 – Industrial (part)

All of Stage 2 Commercial and Industrial Proposals as notified, except **REMOVE**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
Rule 15.8.1.1(v). ¹⁴	Natural and Cultural Heritage (Stage 3)	

And **ADD TO** the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
New Brighton Density Overlay and submissions ¹⁵		Residential (Stage 1)
15.9.4 Commercial Core Zone (North Halswell) Outline Development Plan 15.9.10 Lyttelton Master Plan Overlay Area ¹⁶		Commercial (Stage 1)

13 Opening representations / legal submissions for Council: Proposal 14 – Residential and 8 – Subdivision (Stage 1) dated 29 March 2015 at paragraph 13.4 and closing submissions for same at paragraph 7.2.

14 Pre hearing meeting Statement of Issues for the Council dated 3 August 2015, at paragraph 2.2. No decision from Panel to date.

15 As sought in memorandum of Counsel dated 1 October 2015.

16 Memorandum of counsel for Council dated 24 September 2015 at paragraph 2; and Minute dated 28 September 2015.

Stage 2: Chapter 17 – Rural

All of Stage 2 Rural Proposal as notified, there are no matters to REMOVE and no further matters to ADD to this hearing.

Stage 2: Chapter 21 – Specific Purpose Zones

All of Stage 2 Specific Purpose Zone Proposal as notified, except **REMOVE**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
The Specific Purpose (Golf) Zone (section 21.8 as notified). ¹⁷	General Rules and Procedures (Stage 2 and 3 combined)	

And **ADD TO** the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Rezoning of Addington Cemetery. ¹⁸		Open Space (Stage 2 and 3 combined) Residential (Stage 1) Commercial and Industrial (Stage 1)
Rezoning of other cemeteries. ¹⁹		Residential (Stage 1)
Rezoning of various Schools. ²⁰		Residential (Stage 1) Commercial (Stage 1)

¹⁷ Statement of Issues (updated) for Specific Purpose Zone (Stage 2) dated 13 August 2015.

¹⁸ Application to Set Aside Land from Stage 1 Proposals, where the land has been re-notified in Stage 2 Proposals dated 17 June 2015.

¹⁹ Application to Set Aside Land from Stage 1 Proposals, where the land has been re-notified in Stage 2 Proposals dated 17 June 2015.

²⁰ Application to Set Aside Land from Stage 1 Proposals, where the land has been re-notified in Stage 2 Proposals dated 17 June 2015.

Stage 2: Private Plan Change – MAIL

The entire MAIL Proposal as notified, there are no matters to REMOVE and no further matters to ADD to this hearing.

SCHEDULE B: STAGE 3 HEARINGS

Stage 3: Chapter 3 – Strategic Directions (part) [NO HEARING]

There is **NO HEARING** for the Stage 3 Strategic Directions Proposal. The following matter is the only matter, and should be **REMOVED**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
Strategic Objective 3.3.8.	Strategic Directions (Stage 3) Central City (Stage 3)	

Stage 3: Chapter 5 – Natural Hazards (part)

All of Stage 3 Natural Hazards Proposal as notified, except **REMOVE**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
Awaiting confirmation on content and scope of Minister's intervention of 29 September 2015.	N/A	N/A

And **ADD TO** the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Central City 13.15 (Natural Hazards)	Central City (Stage 3)	

Stage 3: Chapter 7 – Transport (part) [NO HEARING]

There is **NO HEARING** for the Stage 3 Transport Proposal. The following matter is the only matter, and should be **REMOVED**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
7.3.21 Formation of unformed legal roads in the Coastal Environment	Coast Environment (Stage 3)	

Stage 3: Chapter 8 – Subdivision, Development and Earthworks (part) [NO HEARING]

There is **NO HEARING** for the Stage 3 Subdivision Proposal. The following matters are the only matters, and should be **REMOVED**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
The entire Stage 3 notified Proposal.	Natural and Cultural Heritage (Stage 3)	
<p>Except:</p> <ul style="list-style-type: none"> • Appendix 8.6.4; and • Appendix 8.6.5. <p>Which were accidentally re-notified in Stage 3 and are to be decided upon in Stage 2 Subdivision Hearing.²¹</p>	<p>Subdivision (Stage 2) Residential New Neighbourhood</p>	

21 Council memorandum dated 24 September 2015; Panel Response Minute, dated 28 September 2015.

Stage 3: Chapter 9 – Natural and Cultural Heritage

All of Stage 3 Natural and Cultural Heritage Proposal as notified, there are no matters to REMOVE.

ADD TO the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Non-cultural North Belfast Provisions. ²²		Commercial and Industrial (Stage 1)
Cultural provisions for the Industrial General (North Belfast) zone ²³ being: <ul style="list-style-type: none"> • 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). 	Commercial and Industrial (Stage 1)	

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

²³ Joint memorandum of counsel dated 30 April 2015; Approved in Panel Minute dated 6 May 2015.

<p>From Stage 1 Subdivision:²⁴</p> <ul style="list-style-type: none"> • 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)).²⁵ 	Subdivision (Stage 1)	
Subdivision (Stage 1): Revised Objective 8.1.2(b) (amendment as a result of changes to Objective 8.1.1 which has been deferred). ²⁶		Subdivision (Stage 1)
Inclusion of RD activity in 8.3.7.1 and related matter of discretion (8.3.7.3) regarding land in silent file areas. ²⁷	Subdivision (Stage 1)	
<p>Definitions of:</p> <ul style="list-style-type: none"> • Indigenous fauna;²⁸ • Indigenous vegetation;²⁹ • Indigenous vegetation clearance;³⁰ • Significant indigenous vegetation;³¹ • Spring.³² <p>These definitions will also be heard in Stage 2 and 3 combined Definitions Hearing, and in the case of Spring it will also be heard in the Stage 2 and 3 combined General Rules hearing.</p>	Definitions (Stage 1)	

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

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

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

27 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.

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

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

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

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

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

<p>17.2.3.2 Built form Standard - Building reflectivity; 17.2.3.3 Built form Standard – Identified important ridgelines; 17.2.3.4 Built form Standard – Landscape buffer; 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; 17.8.3.2 Significant landscape – Rural Banks Peninsula.</p> <p>And any Stage 2 references to Significant landscapes - Rural Banks Peninsula or the matters above throughout.</p>	<p>Rural (Stage 3)</p>	
<p>All Stage 3 notified provisions for Subdivision (except as noted on Page 17).</p>	<p>Subdivision (Stage 3).</p>	

Stage 3: Chapter 10 – Designations (part)

All of Stage 3 Designations Proposal as notified, being the Ministry of Education designations. There are no matters to REMOVE and no matters to ADD TO the hearing.

Stage 3: Chapter 11 – Utilities and Energy (part) [NO HEARING]

There is **NO HEARING** for the Stage 3 Utilities and Energy Proposal. The following matters are the only matters, and should be **REMOVED**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
The entire Stage 3 notified Proposal.	Natural and Cultural Heritage (Stage 3)	

Stage 3: Chapter 13 – Central City Zones

All of Stage 3 Central City Proposal as notified. For completeness, once matters are removed the following portions of that chapter remain as part of this hearing:

- 13.1 – Central City General Commercial Objective;
- 13.2 – Central City Business Zone;
- 13.3 – Central City Mixed Use Zone;
- 13.4 – Central City (South Frame) Mixed Use Zone;
- 13.5 – Central City Commercial Local Zone;
- 13.6 – Central City Residential Zones;
- 13.8 – Central City Specific Purpose Zones;
- 13.9 – Central City Transport;
- 13.10 – Central City Subdivision and Development;
- 13.11 – Central City Earthworks;
- 13.13 – Central City Utilities and Energy;
- 13.16 – Central City Hazardous Substances and Contaminated Land; and
- 13.17 – Definitions.

REMOVE:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
13.7 – Central City Open Space Zones.	Open Spaces (Stage 2 and 3 combined)	
13.14 – Central City General Rules and Procedures.	General Rules (Stage 2 and 3 combined)	
13.15 – Central City Natural Hazards.	Natural Hazards (Stage 3)	
13.17 – Definitions. ³³		Definitions (Stage 2 and 3 combined)

And **ADD TO** the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Strategic Objective 3.3.8.	Strategic Directions (Stage 3)	

33 Definitions also form scope of the Stage 2 and 3 Definitions Hearing.

Stage 3: Chapter 14 – Residential (part) [NO HEARING]

There is **NO HEARING** for the Stage 3 Residential Proposal. There are no provisions notified as part of Stage 3, however there is the following matter to be **REMOVED**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
Planning Map 25 (to the extent that it zones Cranford Basin Residential)	Cranford Basin Zoning Hearing (Stage 3)	

Stage 3: Chapter 15 – Commercial (part) [NO HEARING]

There is **NO HEARING** for the Stage 3 Commercial Proposal. The following matter is the only matter, and should be **REMOVED**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
15.2.2.4 Discretionary Activity D6 15.2.2.1 change to P1	Richmond Working Mens Club Hearing (Stage 3)	

Stage 3: Chapter 17 – Rural (part) [NO HEARING]

There is **NO HEARING** for the Stage 3 Rural Proposal. The following matters are the only matters, and should be **REMOVED**:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
Planning Maps 24 and 25 (to the extent that they zone Cranford Basin Rural)	Cranford Basin Zoning Hearing (Stage 3)	
17.2.3.2 Built form Standard - Building reflectivity; 17.2.3.3 Built form Standard – Identified important ridgelines; 17.2.3.4 Built form Standard – Landscape buffer; 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; 17.8.3.2 Significant landscape – Rural Banks Peninsula. And any Stage 2 references to Significant landscapes - Rural Banks Peninsula or the matters above throughout.	Natural and Cultural Heritage (Stage 3)	
17.2.3.2. Built form Standard – Building reflectivity; 17.2.3.3 Built form Standard – Identified important ridgelines; 17.2.3.4 Built form Standard – – Landscape buffer; 17.8.3.1 Coastal Environment. And any Stage 2 references to Coastal Environment or the matters above throughout.	Coastal Environment (Stage 3)	

Stage 3: Chapter 19 – Coastal Environment

All of Stage 3 Coastal Environment Proposal as notified, there are no matters to REMOVE.

ADD TO the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
7.3.21 Formation of unformed legal roads in the Coastal Environment.	Coast Environment (Stage 3)	
17.2.3.2. Built form Standard – Building reflectivity; 17.2.3.3 Built form Standard – Identified important ridgelines; 17.2.3.4 Built form Standard – – Landscape buffer; 17.8.3.1 Coastal Environment. And any Stage 2 references to Coastal Environment or the matters above throughout.	Rural (Stage 3)	

Stage 3: Chapter 21 – Specific Purpose Zones (part)

All of Stage 3 Specific Purpose Zone Proposal as notified (being Flat Land Recovery and Burwood Landfill and resource Recovery Park and Rupauna), except REMOVE:

Matters from notified Proposal not included in Hearing	Matter deferred (moved to)	Decision deferred (move to)
21.10.2.4 Built Form Standards for Ruapuna Motorsport Zone	Consider after the Environment Court makes a decision on Plan Change 52	

Stage 3: New Neighbourhood Zones

All of the Residential New Neighbourhood Proposal as notified on Monday 28 September 2015. There are no matters to REMOVE.

ADD TO the hearing:

Matters from other Proposals added to this hearing ³⁴	Matter deferred (moved from)	Decision deferred (moved from)
Policy 8.1.2.8(a) (Urban density) only	Subdivision (Stage 2)	
Policy 8.1.2.9 (Additional subdivision design for greenfields residential areas)	Subdivision (Stage 1)	
Rule 8.2.1.2(3) (Activity standards)	Subdivision (Stage 1)	
The exemption in rule 8.2.2.1 (Written approval and non-notification)	Subdivision (Stage 1)	
Part of rule 8.3.1.1(RD2)(1) and (2)(Restricted discretionary activities - allotment size and dimension)	Subdivision (Stage 1)	
Rule 8.3.9 – Compliance with Outline Development Plan	Subdivision (Stage 1)	
All rules in 8.4.2 (New Neighbourhood Zone)	Subdivision (Stage 1 and 2)	
All assessment matters in 8.5.4 (Assessment matters - New Neighbourhood Zone)	Subdivision (Stage 1)	
Appendix 8.6.4 (North Halswell Outline Development Plan) excluding the Meadowlands Exemplar Zone ³⁵	Subdivision (Stage 1)	
Appendix 8.6.5 (Buchanans Road Outline Development Plan)	Subdivision (Stage 1)	

34 Minute, New Neighbourhood Provisions Directions - Scope of Hearing, dated 26 August 2015 and Memorandum of counsel for the Council Scope of New Neighbourhood provisions for further hearing dated 19 August 2015 – note that the minute adds additional matters to what was suggested by the Council.

35 Refer to Appendix 1D to the Planning Conferencing Statement A-F H and I, dated 29 June 2015, filed with the Panel during the hearing into the Subdivision Proposal (Stage 1). Also refer to Schedule 2 of Decision 4 – Rezoning of Exemplar Housing Areas Under Action 8 of the Land Use Recovery Plan (North Halswell), dated 26 February 2015. Schedule 2 provides a plan showing legal descriptions of the Meadowlands Exemplar.

Appendix 8.6.14 (Plant Species Highsted)	Subdivision (Stage 2)	
Appendix 8.6.15a (Outline Development Plan (Highfield Park) North)	Subdivision (Stage 2)	
Appendix 8.6.15b (Outline Development Plan (Highfield Park) South)	Subdivision (Stage 2)	
Appendix 8.6.15c (Highfield Park Planting List)	Subdivision (Stage 2)	
Objective 14.1.2(a)(iv)	Residential (Stage 1)	
Objective 14.1.3(a)(iii)	Residential (Stage 1)	
Objective 14.1.6 and policies 14.1.6.1 – 14.1.6.10	Residential (Stage 1) (and Stage 2 in relation to policy 14.1.6.1(b))	
Policy 14.1.1.1(a)(iv)	Residential (Stage 1)	
All rules and standards in 14.6	Residential (Stage 1 and 2)	
Matter of discretion 14.9.27	Residential (Stage 1)	
Matter of discretion 14.9.35	Residential (Stage 1)	
Matter of discretion 14.9.36 – any additional matters of discretion	[None were notified on 28 September 2015]	
Appendices 14.10.7.0 -14.10.7.7	Residential (Stage 2)	
Appendices 14.10.8.0 - 14.10.8.6	Residential (Stage 2)	
Appendices 14.10.9.0 - 14.10.9.9	Residential (Stage 2)	
Appendices 14.10.10 - 14.10.10.9	Residential (Stage 2)	
Appendices 14.10.11 - 14.10.11.10	Residential (Stage 2)	
Appendices 14.10.12.0 - 14.10.12.12	Residential (Stage 2)	
Appendix 14.10.13	Residential (Stage 2)	
Appendix 14.10.14	Residential (Stage 2)	
Appendix 14.10.15	Residential (Stage 2)	
Appendix 14.10.16	Residential (Stage 2)	
Appendix 14.10.17	Residential (Stage 2)	
Appendix 14.10.18	Residential (Stage 2)	

Appendix 14.10.19	Residential (Stage 2)	
Appendix 14.10.22	Residential (Stage 2)	
Appendix 14.10.23	Residential (Stage 2)	
Appendix 14.10.24	Residential (Stage 2)	
Any definitions that will assist with the understanding of the Proposal. ³⁶		

³⁶ Minute, New Neighbourhood Provisions Directions - Scope of Hearing, dated 26 August 2015 – see Attachment B.

Stage 3: Richmond Working Mens Club

There is no notified Proposal for this hearing per se, as it is a hearing on a rezoning. Therefore, the following matters are to be **ADDED TO** the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
15.2.2.4 Discretionary Activity D6 15.2.2.1 amendment to P1	Richmond Working Mens Club Hearing (Stage 3)	

Stage 3: Cranford Basin Rezoning Hearing

There is no notified Proposal for this hearing per se, as it is a hearing on a rezoning. Therefore, the following matters are to be **ADDED TO** the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Planning Maps 24 and 25 (in so far as they zone Cranford Basin Residential and Rural)	Rural (Stage 3) Residential (Stage 3)	

SCHEDULE C: COMBINED STAGE 2 AND STAGE 3 HEARINGS

Stage 2 and 3 combined: Chapter 2 Definitions

All of Stage 2 and Stage 3 Definitions Proposals as notified, there are no matters to REMOVE.

ADD TO the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Definitions deferred from Stage 1. ³⁷	Definitions (Stage 1)	
The following Stage 1 Definitions: <ul style="list-style-type: none"> • Indigenous fauna;³⁸ • Indigenous vegetation;³⁹ • Indigenous vegetation clearance;⁴⁰ • Significant indigenous vegetation.⁴¹ 		Definitions (Stage 1)
The Stage 1 definition of Spring. ⁴²		Definitions (Stage 1) – note this definition will also be heard in Stage 2 and 3 combined General Rules and Stage 3 Natural and Cultural Heritage.
Definitions from Central City (section 13.17). ⁴³		Central City (Stage 3)

37 Definitions Opening Legal Submissions for Council dated 10 July 2015 at paragraph 6.2.

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

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

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

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

42 Council's opening legal submissions Stage 1 Definitions Hearing; Christchurch City Council Opening Submissions – Subdivision Proposal dated 22 June 2015.

43 Note that these definitions will also be heard during the course of the Central City hearing.

Stage 2 and 3 combined: Chapter 6 – General Rules and Procedures

All of Stage 2 and Stage 3 General Rules Proposals as notified, there are no matters to REMOVE.

ADD TO the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
Matters as to location of provisions within the plan (the merits of which have been considered in other hearings). For example, setbacks from transmission lines, airport noise contour matters, and water for firefighting. Note that these matters have not been listed for removal from the topic specific hearings. ⁴⁴		The various zone chapters that considered the merits of the provisions.
Specific Purpose (Golf) Zone. ⁴⁵	Specific Purpose (Stage 2)	
Guest Accommodation Zone provisions. ⁴⁶	Residential (Stage 2)	
Central City 13.14 – General Rules and Procedures.	Central City (Stage 3)	
Stage 1 definition of Spring. ⁴⁷		Definition (Stage 1) Note this definition will also be heard in the Stage 3 Natural and Cultural Heritage hearing and the Stage 2 and 3 combined Definitions hearing.

⁴⁴ There are a number of submission points where the Council or submitters have suggested (through both evidence and legal submissions) that certain provisions would be more appropriately located in the General Rules Proposals and / or heard in the General Rules hearing (for example the location of transmission line provisions and water for firefighting standards) (compared to the merits of the inclusion of these standards, which have been accepted through each topic hearing subject to scope issues). These matters are not listed in each of their individual zone Hearing lists below, however they are included in the Stage 2 and 3 General Rules Proposal.

⁴⁵ Statement of Issues (updated) for Specific Purpose Zone (Stage 2) dated 13 August 2015.

⁴⁶ Hearing Panel Minute dated 3 September 2015.

⁴⁷ Council's opening legal submissions Stage 1 Definitions Hearing; Christchurch City Council Opening Submissions – Subdivision Proposal dated 22 June 2015.

Stage 2 and 3 combined: Chapter 18 – Open Space

All of Stage 2 and Stage 3 Open Space Proposals as notified, there are no matters to REMOVE.

And ADD TO the hearing:

Matters from other Proposals added to this hearing	Matter deferred (moved from)	Decision deferred (moved from)
All Stage 1 waterways and their margins. ⁴⁸		Residential (Stage 1) Commercial and Industrial (Stage 1)
Central City 13.7 – Open Space Zones.	Central City (Stage 3).	

48 Application to set aside land from Stage 1 Proposals dated 17 June 2015.