

**BEFORE THE CHRISTCHURCH REPLACEMENT
DISTRICT PLAN INDEPENDENT HEARINGS PANEL**

IN THE MATTER of the Resource
Management Act 1991
and the Canterbury
Earthquake
(Christchurch
Replacement District
Plan) Order 2014

AND

IN THE MATTER of the Subdivision,
Development and
Earthworks (Stage 2)
Proposal

**JOINT MEMORANDUM ON BEHALF OF THE CHRISTCHURCH CITY COUNCIL,
THE CROWN (#2387) AND TE RŪNANGA O NGĀI TAHU (#2458) AND NGĀ
RŪNANGA (#2821) REGARDING SUBDIVISION MINIMUM NET SITE AREAS**

ALSO RELEVANT TO PAPA KĀINGA (STAGE 2) PROPOSAL

8 JUNE 2016

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MAY IT PLEASE THE PANEL:

1. This joint memorandum is filed on behalf of the Christchurch City Council (**Council**), the Crown, and Te Rūnanga o Ngāi Tahu and Ngā Rūnanga (**Ngāi Tahu**) further to the previous Joint Memorandum filed on 9 November 2015 in relation to the Subdivision provisions for the proposed renamed Papakāinga / Kāinga Nohoanga zone (**November Memo**).
2. In the November Memo, the parties suggested that a joint updating memorandum be filed in this proposal following the close of the hearing of the Papakāinga / Kāinga Nohoanga Zone proposal. This was on the basis there may need to be an opportunity for further evidence and/or submissions to be made in this proposal on the subdivision standards for the Papakāinga / Kāinga Nohoanga Zone.¹
3. The parties now advise that they do not seek an opportunity for further evidence and/or submissions to be made in this proposal on the subdivision standards for the Papakāinga / Kāinga Nohoanga Zone. However, the parties do respectfully submit that rule 8.3.3.1 Table 1 – ‘Minimum net site area – residential zones’ (Decision 13), requires updating in order to accurately reflect the final agreed position of the parties following the filing of closing submissions in the Papakāinga / Kāinga Nohoanga proposal hearing.
4. The Council's Papakāinga / Kāinga Nohoanga closing legal submissions dated 13 January 2016 stated that its proposed approach to the minimum lot size for subdivision from Chapter 8 will continue to apply to land zoned Papakāinga / Kāinga Nohoanga.² The applicable provision in Chapter 8 is 8.2.3.1 Table 1,³ which currently provides as follows:

<i>Zone</i>	<i>Minimum net site area</i>	<i>Additional standard</i>
<i>Papakāinga</i>	<i>No minimum</i>	

5. A distinction between 'Māori Land' and 'Other Land' was introduced into the Papakāinga / Kāinga Nohoanga Revised Proposal in the 23 November 2015 version, which was filed following an adjournment of the Papakāinga / Kāinga Nohoanga hearing and mediation between the Crown, Ngāi Tahu, Jan Cook and the Council. The Council's Papakāinga / Kāinga Nohoanga closing legal

1 At paragraph 3.

2 Closing Legal Submissions on behalf of the Christchurch City Council dated 13 January 2016 at paragraph 2.12(a)(i).

3 The Council's Subdivision (Stage 2) closing legal submissions at Attachment A Revised Proposal. Please note that this table is numbered 8.3.3.1 in Decision 13; the numbering was amended through the Subdivision (Stage 2) proposal hearing.

submissions should therefore have reflected this distinction in relation to the application of the minimum subdivision lot sizes from Chapter 8 in the Papakāinga / Kāinga Nohoanga zone.

6. The parties agree that the appropriate outcome is that there should be no minimum net site area for 'Māori Land' within the Papakāinga / Kāinga Nohoanga zone, and that for 'Other Land' within that zone, the minimum net site area for the Rural Banks Peninsula Zone should apply.
7. The parties therefore respectfully seek that rule 8.2.3.1, Table 1 (as set out at Attachment A to Council's Subdivision (Stage 2) proposal closing submissions), be amended as follows and that this be included in the Panel's decision on the Subdivision (Stage 2) proposal (additions are shown in underlined italic text and deletions are shown in ~~strike through~~ text):

Zone	Minimum net site area	Additional standard
Papakāinga <u>Papakāinga / Kāinga</u> <u>Nohoanga</u>	<u>Māori Land – No minimum</u>	
	<u>Other Land – as applies to Rural Banks Peninsula (refer 8.2.3.1 Table 6 Minimum allotment size – Rural Zones)</u>	

DATED this 8th day of June 2016



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rūnanga



P Radich Counsel for the Crown