

Independent Hearings Panel

Christchurch Replacement District Plan

Te paepae motuhake o te mahere whakahou a rohe o Ōtautahi

IN THE MATTER OF section 71 of the Canterbury Earthquake Recovery Act 2011 and the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014

AND

IN THE MATTER OF proposals notified for incorporation into a Christchurch Replacement District Plan

Date of hearing: On the papers

Date of decision: 26 February 2015

Hearing Panel: Environment Judge John Hassan, Dr Philip Mitchell and Mr John Sax

DECISION 4

REZONING OF EXEMPLAR HOUSING AREAS UNDER ACTION 8 OF THE LAND USE RECOVERY PLAN (NORTH HALSWELL) (AND RELEVANT DEFINITIONS)

Outcomes: Proposals changed as per Schedule 1

COUNSEL/APPEARANCES

Mr JGA Winchester and Ms S J Scott	Christchurch City Council
Mr D Allen	Crown
Mr G J Cleary	Danne Mora Holdings Ltd and Spreydon Lodge Ltd
Mr M Mora	in person

TABLE OF CONTENTS

INTRODUCTION AND PRELIMINARY MATTERS.....	4
<i>Effect of Decision and rights of appeal</i>	<i>5</i>
<i>Identification of parts of existing district plans to be replaced</i>	<i>5</i>
PRELIMINARY MATTERS.....	6
<i>Conflicts of interest.....</i>	<i>6</i>
<i>Issues with electronic database of submissions.....</i>	<i>6</i>
<i>Relevant submissions</i>	<i>7</i>
<i>Provisions of notified proposals to which this Decision relates.....</i>	<i>9</i>
<i>Appendix 8.6.4 – North Halswell Outline Development Plan</i>	<i>10</i>
<i>Hearing.....</i>	<i>11</i>
REASONS.....	11
<i>Decision sought by agreement.....</i>	<i>11</i>
<i>Mr Mike Mora.....</i>	<i>12</i>
<i>Supporting evidence and information.....</i>	<i>13</i>
<i>Jurisdiction to make changes.....</i>	<i>13</i>
<i>The Consenting Parties' argument as to scope through submissions</i>	<i>14</i>
<i>Our consideration of the question of scope and jurisdiction.....</i>	<i>15</i>
<i>Evaluation of the merits of the Exemplar Zoning sought</i>	<i>16</i>
<i>Amendments to agreed provisions.</i>	<i>18</i>
<i>Power to revisit decision.....</i>	<i>18</i>
<i>Decision</i>	<i>19</i>
SCHEDULE 1	20
SCHEDULE 2	58
SCHEDULE 3	59

INTRODUCTION AND PRELIMINARY MATTERS

[1] This decision ('decision') is the fourth of a series by the Independent Hearings Panel ('Hearings Panel'/'Panel')¹ concerning the formulation of a replacement district plan for Christchurch City (including Banks Peninsula) ('Replacement Plan'/'Plan'). It concerns part of the following notified proposals for the Replacement Plan as they relate to a notified Exemplar Housing Area identified by Action 8 of the Land Use Recovery Plan (LURP):

- (a) Part Chapter 8 ('Subdivision, Development and Earthworks');
- (b) Part Chapter 14 (Residential); and,
- (c) Certain definitions of Chapter 2 ('Definitions'), and Planning Map 45.

[2] Our Terms of Reference (ToR) require that we hear and determine "the rezoning for exemplar housing areas Under Action 8 of the Land Use Recovery Plan that are publicly notified in the first draft proposals", by 28 February 2015.² We understand that to direct that we hear and consider those provisions of notified proposals as pertain to rezoning of notified exemplar housing areas (leaving aside our hearing and consideration of those proposals for all other purposes until the relevant stage of our inquiry in relation to proposals for the Replacement Plan).

[3] The Council has informed us³ that the only qualifying exemplar is that which is the subject of this Decision, namely what is known as the North Halswell exemplar ('the Exemplar').

[4] The Exemplar, to be developed by Danne Mora Holdings Limited ('Danne Mora'), is proposed to be located on a site ('Site'/'Area') owned by Spreydon Lodge Limited at the corner of Hendersons Road and Halswell Road, in the suburb of Halswell, Christchurch. A plan showing the legal descriptions of the Site is included in Schedule 2. The Site comprises 71.56 hectares and is provided for through the New Neighbourhood provisions of the Replacement

¹ The Panel members are Hon Sir John Hansen (Chairperson), Environment Judge John Hassan (Deputy Chairperson), Sarah Dawson, Dr Philip Mitchell, Jane Huria, John Sax.

² Clause 3(1)(d), ToR.

³ Through a Memorandum from Alan Matheson, City Planning Team Leader, Strategy & Planning Group to Independent Secretariat, dated 21 November 2014.

Plan.⁴ It is identified as being within the 'North Halswell Outline Development Plan' in Appendix 8.6.4 of the Replacement Plan.

[5] Mr Cleary, counsel for Danne Mora advised⁵ that the Site has been identified as suitable for residential development since 2009⁶ and has been the subject of plan change applications to the Operative Plan.⁷ The Plan Change applications were suspended following the preparation of the LURP, which (under Action 8) identified it as one of six potential exemplar projects within the Christchurch District. We understand that the land is also subject to resource consent and subdivision applications which have yet to be processed by the Council.

Effect of Decision and rights of appeal

[6] For the reasons that follow, our decision⁸ is to make changes to the Council's notified Subdivision and Residential Proposals (in part) and to definitions relevant to the amendments, contained in Proposal 2 ('relevant definitions') and Planning Map 45 as they relate to the Exemplar, as set out in Schedule 1.⁹

Identification of parts of existing district plans to be replaced

[7] The Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 ('OIC') requires that our decision also identify the parts of the existing district plans that are to be replaced by the Exemplar Proposal. This is as set out in Schedule 3 (where we also have regard to those parts of those plans which the Council had identified for replacement in its notification of the Exemplar Proposals).

[8] The Council and Danne Mora filed a joint memorandum on 19 January 2015. This addresses the provisions that those parties say need to be replaced in the Operative Plan when

⁴ The LURP identified six possible exemplars but, as detailed in the memorandum from the Council and CERA dated 21 November 2014, only North Halswell qualifies as a matter for priority decision.

⁵ Memorandum of 23 December 2014.

⁶ South West Area Plan 2009.

⁷ Proposed Plan Changes 68 and 69 to the Operative Christchurch City Plan.

⁸ Under cl 12(1)(b) of the Order.

⁹ The effect of our decision and the rights of appeal are set out in our decision on the Strategic Directions and Outcomes Proposals, delivered contemporaneously. In the case of the Exemplar Proposal, the parties who have a right of appeal are, Danne Mora Limited, Spreydon Lodge Limited, the Council, the Crown, the Minister for Canterbury Earthquake Recovery and the Minister for the Environment (acting jointly) and Mr Mike Mora.

the decision of the Panel is made operative.¹⁰ Counsel have advised that the part of the Operative Plan that should be replaced is the area of Meadowlands Exemplar that is currently zoned Rural 2 in the Operative City plan as shown on Planning Map 45A and 52A. They explain that the Planning Maps need to be amended to remove the Rural 2 zone for the area of the Meadowlands Exemplar.

[9] Counsel submitted that the Panel has no jurisdiction to direct further amendments by way of a notation to refer to the Meadowlands Exemplar, but the Council has confirmed its intention to do so. For the purposes of this decision, we accept the Council's undertaking to make those changes for the sake of clarity. Having regard to the Council's identification of the necessary parts for replacement, we accept these as being appropriate and direct the replacement accordingly.

PRELIMINARY MATTERS

Conflicts of interest

[10] We posted notice of any potential conflicts of interest on the Hearing Panel's website on 17 December 2014. No submitters raised issues in relation to this.

Issues with electronic database of submissions

[11] In our decision on the Strategic Directions and Outcomes Proposals, we recorded that we had identified a number of issues with the adequacy of the electronic database of submissions that the Council made available to the Hearings Panel.¹¹ There is no need to repeat those matters in this decision. However, in light of those concerns, the Panel adopted a cautious approach to the identification of submitters with an interest in this matter. The steps that we have undertaken to identify the relevant submissions to this matter are outlined below.

¹⁰ Clause 13(3) of the Order requires the Panel to have regard to the Council's identification of provisions to be replaced under cl 6, and our decision is required to identify the parts to be replaced (if any) under cl 13 of Schedule 3 to the Order.

¹¹ Strategic Directions decision at [16]-[25].

Relevant submissions

[12] A number of submissions were made on the New Neighbourhood provisions in Chapters 8 and 14 generally, but were not specifically related to the Exemplar for North Halswell. This decision relates to the submissions that are directly related to the Exemplar, not the wider provisions of the New Neighbourhood zone. The latter provisions will be considered at hearings on Chapters 8 and 14.

[13] A notice of hearing was served on the submitters identified in the following way:

- (a) At an informal pre-hearing meeting held on 29 October 2014, the Panel directed the Council and the Crown to confer on the relevant provisions that we are required to address in determining the Exemplar priority matter. Officers of the Council and Canterbury Earthquake Recovery Authority ('CERA') provided a Joint Memorandum to the Secretariat on 21 November 2014 setting out their view on the relevant provisions.
- (b) Following a pre-hearing meeting held on 28 November 2014, the Panel confirmed the list of matters to be heard.¹² A list of submitters and further submitters were identified on the basis of the provisions identified for hearing.
- (c) Due to the issues with the database referred to above, the list of submissions included those who had made submissions on the New Neighbourhood provisions generally, as well as those related to the Exemplar. The notice of hearing contained the following statement;

If your submission is on the provisions contained in Appendix B to the Pre-hearing Report and Directions for Hearing 4, but it addresses issues that are of a more general nature or do not relate specifically to the rezoning of Spreydon Lodge – Halswell for Exemplar Housing, the Panel wishes to assure those submitters that they will hear any such general or unrelated submissions at later hearings scheduled in relation to the more relevant proposal. Decisions made on Hearing the rezoning of Spreydon Lodge – Halswell for Exemplar Housing will not prejudice submissions of a more general or unrelated nature. Please refer to the Pre hearing Report and Directions for Hearing 4.

¹² Record of Pre-hearing Meeting and Directions, 4 December 2014, Appendix B.

[14] A number of submitters who were served notice of hearing subsequently advised that they had no interest in the Exemplar matter or, following further discussion with Danne Mora, as outlined below, withdrew their submission.

[15] At the 28 November 2014 pre-hearing meeting, Danne Mora indicated that the Exemplar project had a long history and had been the subject of detailed investigations as part of earlier plan change applications. Therefore, Danne Mora wished to reach agreement with the relevant submitters as to the planning framework that would enable the Exemplar to be progressed expeditiously, without the need for a full hearing of the matter under the OIC. Danne Mora arranged for a facilitated mediation meeting with the following submitters:

- (i) Riccarton/Wigram Community Board (#254),
- (ii) Spreydon/Heathcote Community Board (#899); and
- (iii) Mike Mora (#764).

[16] The mediation took place on 6 December 2014.

[17] Danne Mora reported, in the Joint Memorandum of the Parties dated 23 December 2014,¹³ that it had corresponded with a number of the other submitters who were notified of the pre-hearing meeting and hearing, but did not participate in the mediation meeting, to clarify their respective positions. Counsel for Danne Mora, the Council and the Crown submitted that the Panel could proceed to determine the matter on the papers by consent, on the basis that all relevant parties had agreed to the outcome.

[18] The Panel was initially concerned that some of the correspondence referred to in that joint memorandum was not sufficiently clear as to the status of all submitters, such as to enable the Panel to safely abandon the scheduled hearing. To ensure fairness to all submitters, the Panel issued directions on 24 December 2014 requiring all submitters to specifically identify their position and attend a pre-hearing meeting on 6 January 2015.

¹³ Para 7-16.

[19] Following the pre-hearing meeting,¹⁴ the Panel is satisfied that by this process, we have identified that the only parties on the Exemplar matter are those who have reached agreement with Danne Mora and now jointly seek that we make this Decision, namely:

- (a) The Council;
- (b) The Crown;
- (c) Danne Mora;
- (d) Spreydon Lodge Limited; and,
- (e) Mr Mora.

We address Mr Mora's submission below, in view of his request that we do so.

Provisions of notified proposals to which this Decision relates

[20] Neither Action 8 of the LURP nor our ToR identify or specify relevant proposals or provisions that our Decision concerning the Exemplar should address. As we read the ToR and Action 8, these matters are left for us to determine.

[21] We have done this, with assistance from the Council and the other parties, as follows:

- (a) At an informal pre-hearing meeting conducted on 29 October 2014, the Panel directed the Council and the Crown to confer as to the relevant provisions that required hearing to address the Exemplar.
- (b) The Council and the Crown set out the relevant provisions in a joint memorandum.¹⁵

¹⁴ Transcript Pre-hearing Meeting dated 6 January 2015.

¹⁵ Memorandum to Secretariat from Officers of Christchurch City Council and CERA, dated 21 November 2015.

- (c) At the first formal pre-hearing meeting conducted on 28 November 2014, counsel for Danne Mora (Mr Cleary) presented a memorandum of counsel on relevant provisions to be heard.¹⁶

[22] By this process, the provisions were identified and agreed by the parties. On this basis, we are satisfied that the provisions requiring our consideration, and which should apply to the Exemplar, are those identified in our pre-hearing report.¹⁷

Appendix 8.6.4 – North Halswell Outline Development Plan

[23] Appendix 8.6.4 – North Halswell Outline Development Plan was not initially identified as being a matter requiring our attention as part of the Exemplar. The ODP is part of the package of provisions that apply to the New Neighbourhood zone at North Halswell. Mr Cleary advised in his fourth memorandum that an error in the mapping of the Appendix was discovered. Mr Cleary advised:¹⁸

In simple terms, the error meant that part of the Exemplar Housing area land was zoned commercial in the notified Proposed Replacement Plan, and therefore falling within the boundaries of the Key Activity Centre (KAC) for North Halswell.

[24] One of the submitters notified for hearing, Terrace Developments Limited, had specifically sought amendment to Appendix 8.6.4 to redraw the boundaries for the Key Activity Centre ('KAC'). This included redrawing the boundaries and removing the proposed commercial zoning from the Exemplar Housing Area land.

[25] Danne Mora and Terrace Developments reached agreement that the relief sought by Terrace Developments can be granted by removal of this area of commercial zoning. The issue of how the part now removed from commercial zoning will be accommodated will need to be addressed at a later hearing.

[26] On that basis, Terrace Developments provided a memorandum confirming their agreement as to the relief and preserving their position in regard to the consequences of the amendment.¹⁹

¹⁶ Memorandum on behalf of Danne Mora Holdings Limited with Regards to the North Halswell Exemplar Area, 27 November 2014.

¹⁷ Above, n 12.

¹⁸ Fourth Memorandum of Counsel, para 14.

¹⁹ Memorandum of Counsel for Terrace Developments Limited dated 17 December 2014.

[27] A replacement Appendix 8.6.4, correcting the minor error, has been provided to us as part of the package of provisions submitted in the Joint Memorandum dated 23 December 2014 (as updated on 6 January 2015).²⁰

[28] The Panel notes that there are a number of submitters with submissions relating to Appendix 8.6.4 generally, and their interests are not prejudiced by this minor correction. We will consider those submissions at later hearings.

Hearing

[29] A hearing on these provisions as they relate to the Exemplar priority matter was notified on 5 December 2014. The hearing was scheduled to commence on 13 January 2015, but was adjourned following a further pre-hearing meeting on 6 January 2015.

REASONS

Decision sought by agreement

[30] By Joint Memorandum dated 23 December 2014 ('Joint Memorandum'), the Council, the Crown and Danne Mora ('the Consenting Parties') jointly request that we provide for the Exemplar provision within the Replacement Plan such as to establish a new "spot zone" 'Meadowlands New Neighbourhood (Exemplar Housing Area- North Halswell)' ('Exemplar Zone').

[31] The provision sought involves changing various proposals to the effect of including within the Replacement Plan a discrete package of planning provisions applicable only to the

²⁰ Transcript of Pre-hearing Meeting, 6 January 2015, page 3.

Exemplar. This provision is sought within the New Neighbourhood zone as shown on Planning Map 45.

[32] The agreed provisions make changes to an objective and policy in Chapter 14 Residential, and to the rules in Chapter 8 in relation to Subdivision. A number of new definitions are adopted that apply only to the Meadowlands Exemplar. A revised planning map 45 has been provided, and an amended Appendix 8.6.4 (contained in Chapter 8).

[33] The Stage 1 notified proposals of the replacement Christchurch District Plan enable the Exemplar as part of the proposed New Neighbourhood zone, as indicated on Planning Map 45. Amongst other matters, the proposed new zone seeks to make provision for a mixture of residential and commercial development. The latter is identified as a KAC. In addition, development within the zone is to be in accordance with an over-arching outline development plan contained within Appendix 8.6.4 of Proposal 8 of the Proposed Plan. There is not a discrete package of provisions that relate only to the Exemplar under Action 8 of the LURP. Rather, the relevant notified provisions comprise the relevant planning map (Map 45), an outline development plan (Appendix 8.6.4), and an objective, policy and rules (including definitions) of wider application to New Neighbourhood zone in Chapter 8 (Subdivision, Development and Earthworks) and Chapter 14 (Residential).

[34] The Consenting Parties jointly seek that we include in the Replacement Plan this package of provisions on a basis that would not affect how the New Neighbourhood zone would apply to other locations. On that basis, it is the agreed position of the parties that we are able to approve of this spot zone without prejudicing our consideration of the New Neighbourhood zone provisions, for all other purposes, later in our enquiry into the Replacement Plan.

Mr Mike Mora

[35] Mr Mora made a submission on the Meadowlands (North Halswell) development. His submission simply asserted:²¹

I oppose the development of Meadow Lands (North Halswell) on the ground that the water table is too high and the land is TC2/TC3 geotec quality. [sic]

²¹ Submission of Mr Mora (#764).

[36] Mr Mora attended the mediation meeting on 6 December 2014, and later confirmed that he withdrew his formal opposition, but wished the Panel to consider his submission.²²

[37] We confirm that we have done so. However, we note that Mr Mora did not elect to call evidence to support his submission. We have before us a statement of expert evidence from Mr Mark Brown, which we discuss below. Mr Brown identifies that the land has been subject to detailed geotechnical and engineering assessment which supports its suitability for development, which we have accepted. We have also considered the identification of this area for residential development since 2009, and its inclusion in both the LURP and CRPS. In the absence of any expert evidence contradicting the opinion of Mr Brown, we are satisfied that evidence adequately covers off all matters raised by Mr Mora.

Supporting evidence and information

[38] Mr Brown is a planning expert, and his statement of evidence is on behalf of the Consenting Parties. Mr Brown's evidence covers the background to the Exemplar project at North Halswell, the suitability of the Site for rezoning, the relevant details of the Exemplar Zone and the statutory evaluation required under the OIC, the Resource Management Act 1991 ('RMA') and the Canterbury Earthquake Recovery Act 2011 ('CER Act'). We return to his evidence shortly.

Jurisdiction to make changes

[39] In their Joint Memorandum, the Consenting Parties set out the basis on which they consider we have jurisdiction to allow for the Exemplar Zone within the Replacement Plan.

[40] The Panel is required (under the OIC) to hear submissions and to make decisions in accordance with the statutory requirements of the OIC, the RMA and the CER Act. The Panel is not bound by the scope of submissions and may make any changes that it considers appropriate, provided however the changes are not materially beyond the scope of the proposal as notified.²³

²² Email from Mr Mora, dated 18 December 2014.

²³ OIC, cl 13(1), (2) and (4).

[41] In our decision on the Strategic Directions and Outcomes Proposals, we outlined the statutory basis for our jurisdiction to hear and determine the Replacement Plan provisions.²⁴ We do not repeat those in this decision but record that those matters apply to our jurisdiction in relation to this matter.

[42] The package of provisions jointly sought by the Consenting Parties differs to some extent from the relevant notified proposals of the Replacement Plan. While those notified proposals identified the Exemplar site as part of the New Neighbourhood zone, and provided for the outline development plan (at Appendix 8.6.4 in Chapter 8), they did not propose a discrete package of provisions for the Exemplar.

[43] To that extent, we need to be satisfied that the changes proposed in the form of a ‘spot zone’ by the Consenting Parties are either within the scope of submissions sought or otherwise are not materially beyond the scope of the proposals as notified.

[44] As for whether the changes are within the scope of submissions, those of relevance (identified in the Joint Memorandum) are:

- (a) The Crown (#495);
- (b) Danne Mora Holdings Limited (#1134); and
- (c) Spreydon Lodge Limited (#FS1439).

The Consenting Parties’ argument as to scope through submissions

[45] The Consenting Parties argue that those submissions provide sufficient scope to make the changes proposed, on the basis that the submissions fall within the “continuum” referred to in cases such as *Guthrie v Dunedin City Council* C174/2001. That is, the Consenting Parties submit that their agreed package of requested changes fall somewhere between the proposals as notified and the relief sought in those submissions. The Consenting Parties state that the

²⁴ Strategic Directions decision, Section 3 at [26]-[29] and [40]-[71].

submissions themselves “fairly and reasonably” relate to the relief (expressly or by implication) about the issues raised by the proposed amendments.²⁵

[46] Apart from the scope available from those submissions, the Consenting Parties also rely on the fact that the changes proposed essentially amount to a “structural change” to the Replacement Plan that would enable comprehensive development of the exemplar development under the notified New Neighbourhood zone.

Our consideration of the question of scope and jurisdiction

[47] We have taken into consideration the proposals as notified, the submissions lodged, and the joint memorandum of the Consenting Parties, and evidence of Mr Brown. On that foundation, we are satisfied that the proposed changes are fairly and reasonably within the scope of submissions. We reach that view following our examination of the substance of submissions, from which we are satisfied:

- (a) Danne Mora’s submission supports or seeks amendments to the provisions in 8.4.2 that facilitate comprehensive development, but seek changes to provide exemptions from some standards for a comprehensive development. Danne Mora’s submission relates to comprehensive development generally, not just to the Exemplar.
- (b) The further submission from Spreydon Lodge, supports those submissions from Danne Mora, and suggests a refinement by the creation of a specific residential New Neighbourhood (Meadowlands) zone. Although a further submission cannot extend the scope of an original submission (thus precluding other interested parties the right to comment), the further Spreydon Lodge submission can be viewed as simply seeking a refinement, or an alternative way of achieving the outcome sought in the Danne Mora Submission.
- (c) The Crown submission is broader in its scope, but does not specifically refer to the North Halswell exemplar.

²⁵ Counsel referred to *Motiti Rohe Moana Trust v Bay of Plenty Regional Council* [2014] NZEnvC 125. See also *Royal Forest and Bird Protection Society Inc v Southland District Council* [1997] NZRMA 408.

[48] In any event, we note that cl 13(2) of the OIC provides that we may make any changes to a proposal that we consider appropriate. We are not limited to making changes within the scope of the submissions made on the proposals, provided the changes are not, in a material way, outside the scope of the proposal as notified. Although we do not need to decide this (because we are satisfied that the submissions give scope for the changes requested), we are satisfied that cl 13(2) of the OIC allows us to make the changes. We find that the package of provisions in support of the Exemplar are not materially outside the scope of the proposals as notified.

Evaluation of the merits of the Exemplar Zoning sought

[49] Mr Brown's evidence was stated to be in accordance with the Environment Court's Code of Conduct for Expert Witnesses contained in part 7 of the Environment Court of New Zealand Practice Note 2014 ('Code of Conduct for Expert Witnesses') and was not contested. While Mr Brown does not identify the source of the technical conclusions that support his opinion concerning the suitability of the land for the residential purposes sought, none of that foundation material is contested. Further we note that Mr Brown's planning evaluation relies on earlier work undertaken on behalf of Danne Mora.²⁶ As such we are satisfied that he has duly abided the Code of Conduct for Expert Witnesses.

[50] We accept Mr Brown's evidence as providing us with the factual, contextual and evaluative basis for our Decision. Specifically, on the basis of that evidence, we are satisfied that the proposed package of provisions, (including the objective, policies and rules, definitions and planning map amendment) are appropriate in the context of the statutory evaluation we are required to undertake under the OIC.

[51] The Consenting Parties have represented that the proposed Exemplar Zone provisions fulfil the statutory requirements of the OIC, the RMA and the CER Act and overall achieve the purpose of the RMA.

[52] We are satisfied of that on the basis of the joint representations of counsel and the evidence of Mr Brown. We have not set out the provisions in detail in this decision but record

²⁶ Plan Change applications and a more recent resource consent and subdivision application prepared under the draft provisions of the Replacement Plan. Section 6 of Mr Brown's evidence dated 18 December 2014.

our views remain as we have set out in our decision on the Strategic Directions and Outcomes Proposals.

[53] In particular:

- (a) As for the consideration we are required to give to various other higher order statutory documents, we are satisfied that the Exemplar Zone provisions sought will, insofar as relevant:
 - (i) give effect to the Canterbury Regional Policy Statement (in particular, Chapter 6);
 - (ii) not be inconsistent with the LURP (and help implement Actions 2, 7, 8, 19 and 23 of the LURP);
 - (iii) assist to reduce the volume and prescriptiveness of development controls, be sufficiently easy to use, include clearly stated outcomes and assist to facilitate an increase in housing supply and choice (these matters each being priorities identified in the OIC Statement of Expectations).
- (b) We have had regard to the Council's s 32 report on the relevant notified Replacement Plan provisions.²⁷ Although the Council's report does not make specific reference to Action 8 in the LURP, it is clear to us that the need for provisions in the Plan to provide a framework for an exemplar development at Halswell was identified by the Council, and that the provisions in the notified proposals relating to comprehensive developments and the proposed New Neighbourhood zone are directed at enabling an Exemplar (albeit not using that terminology).
- (c) We have undertaken a further evaluation of the provisions sought in the proposed Exemplar Zone, in accordance with s 32AA, RMA. We have done so on the basis of the evidence of Mr Brown and the other information which the Consenting Parties have jointly provided. On that basis:

²⁷ Section 32 Report Notified 27 August 2014.

- (i) We accept the conclusions of Mr Brown that the Residential New Neighbourhood Meadowlands Exemplar zone is the most appropriate way to achieve the outcomes intended for Exemplar medium density housing projects.
- (ii) We are satisfied that the proposed provisions are a more effective way of achieving the outcome associated with this exemplar project and will more appropriately achieve the purpose of the RMA than the provisions that were notified, in so far as they relate to this Exemplar.

Amendments to agreed provisions.

[54] During our deliberations, we identified a number of drafting issues with the provisions provided to us by the Consenting Parties. We sought clarification of these issues in a Minute dated 11 February 2015. The Parties provided a joint memorandum in response on 16 February 2015 which made corrections to the provisions. We have considered the suggestions. We they improve the clarity of the rules and we have adopted them in our decision. A couple of typographical errors have also been corrected.

Power to revisit decision

[55] The OIC gives the Panel capacity to revisit any decision, should it be necessary and desirable to do so to ensure that the Replacement Plan is coherent and consistent.²⁸

[56] The Panel is mindful that, in the context of ensuring coherence and consistency with the broader design of the Replacement Plan, it may be necessary or desirable to revisit aspects of this Decision, in due course. Any such revisiting would, of course, be mindful of the legal effect of the provisions subject to this Decision as they relate to the Exemplar.

²⁸ OIC, cl 13(5) and (6).

Decision

[57] Therefore, the Panel determines that proposals 8 and 14 and Planning Map 45 of the proposed Replacement Christchurch District Plan be amended to incorporate the Exemplar Zone as set out in Schedule 1 to this Decision.

For the Hearings Panel:



Environment Judge John Hassan
Chair



Dr Philip Mitchell
Panel Member



Mr John Sax
Panel Member

SCHEDULE 1

Changes that our decision makes to the Proposals

Chapter 14 Residential (part) - Meadowlands New Neighbourhood (Exemplar Housing Area – North Halswell)

Objective 1 - Meadowlands New Neighbourhood (Exemplar Housing Area – North Halswell)

- a. A comprehensively planned development in the Meadowlands New Neighbourhood (Exemplar Housing Area – North Halswell) Zone that is environmentally and socially sustainable over the long term.

14.1.6.1 Policy—Comprehensive development Policy 1 – Meadowlands New Neighbourhood Exemplar comprehensive development

- a. ~~Ensure that the new neighbourhoods are~~ Meadowlands Exemplar Development is ~~comprehensively planned and designed through development of, and giving effect to, an overarching vision that:~~
- i. responds positively to the local context of each area;
 - ii. produces short and long-term positive environmental, social, and manawhenua outcomes;
 - iii. fully integrates subdivision layout with potential land use;
 - iv. integrates residential development with the concurrent supporting range of local community facilities and services that support residents' daily needs;
 - v. achieves an efficient and effective staging of the provision and use of infrastructure, stormwater management networks, parks, and open space networks that is integrated with land use development;
 - vi. provides good access to facilities and services by a range of transport modes through the provision of integrated movement networks of roads, public transport, cycle, and pedestrian routes;
 - vii. shows infrastructure and movement routes that are fully integrated with existing adjacent communities and enables connectivity with other undeveloped areas;
 - viii. avoids or adequately mitigates risks from natural hazards and geotechnical characteristics of the land;
 - ix. remediates contaminated land;
 - x. utilises opportunities to enhance tangata whenua values, particularly indigenous biodiversity and mahinga kai;
 - xi. recognises Ngāi Tahu cultural and traditional associations with the Otautahi landscape; and
 - xii. avoids interim land use and development compromising the integrity and viability of infrastructure provision and community development.

8.4.2 8.4.2A Meadowlands New Neighbourhood Zone (Exemplar Housing Area – North Halswell)

8.4.2A.1 Restricted Discretionary Activities Meadowlands New Neighbourhood Zone

Subdivision – **(M.E.D.) and land use** is a restricted discretionary activity and shall comply with the standards listed below. **Unless otherwise stated**, discretion to grant or decline consent and impose conditions is restricted to the matters set out at **8.4.2A.54**.

	Activity	Restricted discretionary standards
RD1	<p><u>Neighbourhood Plan Meadowlands Exemplar Area</u></p> <p>Comprehensive subdivision – <u>(M.E.D.) and land use consent application to implement the Meadowlands Exemplar approved by the Council –</u></p>	<p>a. The subdivision – <u>(M.E.D.) application to create titles and the and</u> land use consent application shall be processed together. and</p> <p>b. The subdivision shall meet the standards 8.4.2.5 (2) – (9) and standards of 14.6.3.2, 14.6.3.4, and 14.6.3.8 – 14.6.3.19 of Chapter 14.</p> <p><u>b. Buildings - (M.E.D.) shown in the comprehensive subdivision – (M.E.D.) and land use consent application shall meet the following built form standards:</u></p> <p><u>i. Maximum height – (M.E.D.) of any building - (M.E.D.): 11m.</u></p>

<p><u>(M.E.D.) on 24 April 2014.</u></p> <p><u>The consent application shall not require the written approval of other persons and shall not be publicly notified.</u></p>	<p><u>ii Maximum number of storeys in buildings – (M.E.D.): 3.</u></p> <p><u>iii. Minimum number of storeys for residential buildings - (M.E.D.) facing the Key Activity Centre – (M.E.D.): 2.</u></p> <p><u>Where the standards in i. – iii. inclusive above are not met, the activity status shall remain Restricted Discretionary. Assessment matters for assessment of infringement of these standards are set out in with the Council's – MED discretion restricted to the matters set out in 8.4.2A.5.13.</u></p> <p>c. The comprehensive subdivision – <u>(M.E.D.)</u> and land use consent application shall be accompanied by:</p> <p><u>1. Context and Site Analysis Plans</u> <u>2. Design Rationale</u> <u>3. a Neighbourhood Plan</u></p> <p>which shall address cover a minimum area of 8ha and address the matters set out at <u>8.4.2.6 of this chapter 8.4.2A.4.</u></p> <p>d. The comprehensive subdivision – <u>(M.E.D.)</u> and land use consent application shall be:</p> <p><u>i. for a developable area of at least 7000m² within the 8ha Neighbourhood Plan – (M.E.D.) area; and</u></p> <p><u>ii. in accordance with the Outline Development Plan in Appendix 8.6.4A.</u></p> <p><u>Where the comprehensive subdivision – (M.E.D.) and land use consent application is not in accordance with the Outline Development Plan in Appendix 8.6.4A, the application status shall remain restricted discretionary, with the Council's – (M.E.D.) discretion restricted to the Matters set out in 8.4.2A.5.7.</u></p>
--	---

		<p>Note: Any consent granted may apply to the land the subject of the Plans at (c) above where necessary to ensure access to the transport network, services, open space and other elements identified in the Outline Development Plan.</p> <p>e. The development shall be in accordance with the applicable Outline Development Plan. The comprehensive <u>subdivision</u> and land use consent application may include <u>future development allotments</u>.</p> <p><u>e. The comprehensive subdivision and land use consent application may include future development allotments - (M.E.D.).</u></p> <p>f. The comprehensive subdivision and land use consent application shall contain 3 or more of the following <u>building – (M.E.D.)</u> typologies:</p> <ul style="list-style-type: none"> i. Standalone House – <u>(M.E.D.)</u> ii. Duplex – <u>(M.E.D.)</u> iii. Terrace – <u>(M.E.D.)</u> iv. Apartment – <u>(M.E.D.)</u> <p>with no single typology making up more than two thirds of the total <u>number of residential units – (M.E.D.)</u>.</p> <p>g. The comprehensive subdivision – <u>(M.E.D.)</u> and land use consent application shall demonstrate the delivery of a minimum new neighbourhood net density of 15 households per hectare <u>only be in accordance with the Meadowlands Exemplar approved by the Council – (M.E.D.) on 24 April 2014.</u></p> <p>Notes:</p> <p>1. The consent application will only be publicly notified if it is inconsistent with an existing Outline Development Plan or <u>Neighbourhood Plan</u>. In other instances, the application will be limited notified within the <u>Neighbourhood Plan</u> area.</p>
--	--	---

		<p>2. 1. Where open space is shown on an outline development plan and that land is not required by the Council – (M.E.D.) as a recreation reserve or local purpose reserve then that land can be developed for residential purposes in accordance with the wider outline development plan intentions.</p> <p>3. Where the standards in Chapter 14 listed at (a) above are not met, the activity status will be as provided for in Chapter 14 for the relevant standard(s).</p>
--	--	---

8.4.2.2 8.4.2A.2 Discretionary Activities Meadowlands New Neighbourhood Zone

The activities listed below are Discretionary Activities.

Activity	
D1	<p>1. A comprehensive subdivision – <u>(M.E.D.)</u> and land use consent application under RD1 <u>for activities that or that does not meet:</u></p> <p>a. do not meet the delivery of a minimum new neighbourhood net density – (M.E.D.) of 15 households per new neighbourhood hectare – (M.E.D.) but and details are supplied of alternative land within the outline development plan area <u>Meadowlands Exemplar Area</u>, of which the applicant is the registered proprietor, to which the shortfall in density can be transferred in future resource consent applications under one of RD1, RD2, or RD3; or</p> <p>b. <u>do not comply</u> compliance with <u>activity standard RD1 (d)(i.)</u> criteria <u>RD1 (a) and (b).</u></p> <p><u>The consent application shall not require the written approval of other persons and shall not be publicly notified.</u></p> <p><u>In determining whether to grant or decline consent and impose conditions, the Council will consider the matters at 8.4.2A.5 and any other relevant matter.</u></p>

~~In determining whether to grant or decline consent and impose conditions, the Council will consider the matters at 8.5.3 and any other relevant matter.~~

8.4.2.3 8.4.2A.3 Non-complying Activities Meadowlands New Neighbourhood Zone

The activities listed below are Non Complying Activities.

	Activity
NC21	A comprehensive subdivision – <u>(M.E.D.)</u> and land use consent application under RD1 that does not meet the criteria at RD1 except where D1 is applicable. <u>for activities that are not otherwise listed as <i>Restricted Discretionary</i> or <i>Discretionary Activities</i>.</u>

8.4.2.6 8.4.2A.4 ~~Content Analysis, Site Analysis, and Neighbourhood~~ ~~Plan requirements~~

A Neighbourhood Plan shall consist of the following:

- i. Site and Context Analysis
- ii. Detailed Design Statement
- iii. Neighbourhood Plan Set

Explanatory Notes

A Neighbourhood Plan - (M.E.D.) provides the basis to understand how a larger subdivision - (M.E.D.) is to be comprehensively developed and is a gateway an overarching document to assess against which the combined subdivision - (M.E.D.) and land use consenting ~~process requirements~~ for larger sites - (M.E.D.) is assessed as detailed in RD1 in section 8.4.2.1. The Neighbourhood Plan must as a minimum must cover 8ha. The minimum area of land covered by a Neighbourhood Plan - (M.E.D.) is 8ha.

A Context ~~Analysis~~ and a Site Analysis ~~are~~ is a means for the applicant to outline details of the nature of the site - (M.E.D.) and its setting and ~~which should be extensively cross referred to in informing the development of the site as proposed in the Resource Consent application.~~ will provide a description of the key elements and influences of the proposed development and any relevant opportunities and constraints.

The Detailed Design Statement should outline how the development's structure and form was shaped, balancing competing influences identified in the context and site analysis, in conjunction with the underlying design principles. The statement should also, as required, discuss any alternative responses that may have been rejected as part of decision making process.

The Neighbourhood Plan Set must include will consist of a set of plans that illustrate the design rationale within the Neighbourhood Plan area inclusive of matters contained within the Context and Site Analysis and the Detailed Design Statement.

~~These documents will consist of plans, accompanying illustrations, text and any other relevant material.~~

1. Context and Site - (M.E.D.) Analysis

Details the key existing elements and influences in the vicinity of the proposed development - (M.E.D.) ~~and in turn convey and explains~~ the relationship of the

comprehensive subdivision and land use consent application area of the site to the surrounding area.

Minimum requirements for a Context Analysis include: The Context and Site Analysis is required to include:

- a. topography, natural and built environment features, views and vistas
- b. adjacent land use zoning and land use including required setbacks from adjacent activities and interfaces where buffers will be required;
- c. subdivision– (M.E.D.) pattern, internal access and block layout
- d. existing and potential vehicle, pedestrian and cyclist access points (including natural desire lines), parking areas and potential connections through the site – (M.E.D.).
- e. public open space and publicly accessible space
- f. location of community facilities (shops, schools, sports and cultural facilities, etc)
- g. existing and proposed public transport routes and stops, and public access ways from the bus stops to the site – (M.E.D)
- h. movement networks including vehicle, cycle and pedestrian routes
- i. protected buildings- (M.E.D.), places and objects, protected trees, historic heritage,
- j. archaeological sites
- k. recognition of Ngāi Tahu cultural values, history and identity associated with specific places
- l. character and other existing buildings and structures;
- m. site – (M.E.D) orientation, including a north point on the plans;**
- n. existing trees and landscaping to be retained**
- o. hazardous features, such as areas of soil contamination, unstable land and overhead power lines and**
- p. climatic conditions – including prevailing winds.**

Site Analysis

~~Details the key existing elements and influences of the development site to illustrate the opportunities and constraints present.~~

Minimum requirements for a Site Analysis include:

- ~~a. Site orientation including a north point~~
- ~~b. Climatic conditions~~
- ~~c. Topography, natural and built environment features, and views~~
- ~~d. Existing trees and landscaping and that to be retained~~
- ~~e. Protected buildings, places and objects, protected trees, historic heritage, and archaeological sites~~
- ~~f. Hazardous features, such as areas of soil contamination, unstable land and overhead power lines~~
- ~~g. Public open space and publicly accessible space~~
- ~~h. Site subdivision pattern, internal access and layout~~
- ~~i. Existing and potential vehicle, pedestrian and cyclist access points (including natural desire lines), parking areas and potential connections through the site~~

- ~~j. Land-use zoning and land use, including required setbacks from adjacent activities–~~
- ~~k. Nature of site boundaries (residential, commercial, industrial, open space)–~~
- ~~l. Interfaces where buffers will be required–~~
- ~~m. Public domain elements such as footpaths, street trees and cycle stands–~~
- ~~n. Existing buildings and structures, indicating whether or not they are to be retained and including building footprints and heights–~~
- ~~o. Character and other existing buildings and structures and~~
- ~~p. Potential locations available for stormwater management, if required.~~

2. Detailed Design Statement must include:

- a. The Detailed Design Statement will include aAn overall vision statement for the site – (M.E.D) which identifies key deliverables/outcomes which may be linked to Resource Management Act 1991 outcomes (objectives and policies) or site – (M.E.D) specific outcomes (giving a clear steer to buyers and developers that these outcomes would be secured via covenants or other binding mechanisms).
- b. An analysis in support of the overall development – (M.E.D.) structure provided by the Outline Development Plan, and more refined development – (M.E.D.) proposal for the area that is covered by the Neighbourhood Plan - (M.E.D.) including urban form, movement network, open space, and infrastructure.
- c. An analysis of lot arrangement, size and allocation of defined housing typologies. The Neighbourhood Plan - (M.E.D.) should contain sufficient analysis to demonstrate that relevant development standards in the subdivision and residential chapters can be met (notably those related to daylight and outdoor living space).

3. Neighbourhood Plan Set

- a. A set of plans to accompany the detailed design statement including:
 - i. Lot arrangement
 - ii. Lot size
 - iii. Allocation of housing typologies
 - iv. Landscaping
 - v. Shading Analysis
 - vi. Movement network (including cross sections)
 - vii. Infrastructure (including cross sections)
 - viii. Open Space

3. Neighbourhood Plan

~~An overall vision statement for the site which identifies key deliverables/outcomes which may be linked to RMA outcomes (objectives and policies) or site specific outcomes (giving a clear steer to buyers and developers that these would be secured via covenants or other binding mechanisms).~~

- ~~1. The overall development structure provided by the Outline Development Plan, and more refined development structure for the area including movement network, open space, and infrastructure. This includes cross sections of streets and blocks and overall site wide strategies such as structural landscape elements.~~
- ~~2. Lot arrangement, size and allocation of defined housing typologies. This level should contain sufficient analysis to demonstrate that relevant development standards in the subdivision and residential chapters can be met (notably those related to daylight and outdoor living space).~~

8.5.4 8.4.2A.5 Assessment Matters - New Neighbourhood Zone Meadowlands Exemplar

8.5.4.1 8.4.2A.5.1 Place making, and context, and heritage

1. Whether the subdivision – (M.E.D.), site- (M.E.D.) and building - (M.E.D.) design and allotment – (M.E.D.) layout:
 - a. ~~1~~-addresses the existing context, including retention of natural and built features, adjacent patterns of development – (M.E.D.) and potential visual and physical connections
 - b. ~~2~~-creates a distinctive identity, ~~drawn from the context and built on through each aspect of the design including the block, street and open space layout, to the configuration of allotments and elements of the open space;~~
 - ~~3~~-provides for a comprehensive network of vehicle, cycle and pedestrian routes that maintain or enhance safe and efficient physical and visual links within the area and to surrounding neighbourhoods;
 - c. ~~4~~-distributes allotments – (M.E.D.) for higher density building - (M.E.D.) typologies to support community and retail facilities and public transport, and create a critical mass of activity and focus ~~for development-~~
 - d. ~~5~~. locates larger allotments – (M.E.D.) on corner sites – (M.E.D.) to provide for larger scale multi **residential unit - (M.E.D.)** building - (M.E.D.) typologies **that address adjacent streets and open spaces and** ~~to~~ assist neighbourhood legibility
 - e. ~~6~~. provides **public and private space, including** communal spaces, that **is** ~~are~~ usable and accessible, ~~and 7-provides-public-and-private-space that~~ incorporates large scale tree planting, and low impact design features;

~~8.5.4.2 Block layout~~

~~Whether the block layout:~~

- f. ~~1~~. responds to, and complements the design and layout of adjacent blocks, streets and open spaces
- g. ~~2~~. has dimensions and an orientation which provide for efficient vehicle access - (M.E.D.) and parking, **including garage (M.E.D.) spaces,** that is

safe for pedestrians and cyclists, and ~~that~~ does not compromise the quality of current or future public or private space

~~3. provides for a mix of residential allotments to contain a range of building typologies that can accommodate all life stages and a diversity of housing needs;~~

~~h. 5. Provides allotments that~~ promotes building - (M.E.D.) typologies that protect the privacy and outlook of adjacent sites (M.E.D)

~~i. 4. Provides allotments that~~ promotes building - (M.E.D.) typologies that retain the central area of the block for open space or shared vehicle access and

~~j. minimises the use of rear lots and long cul-de-sacs.~~

~~6. provides allotments of a size and dimension that promote building typologies with a high level of visual interaction with the street and other public spaces, while providing for a cohesive street scene and neighbourhood; and~~

~~7. provides for a distribution of allotments to accommodate single, semi-detached and multi-unit (terraces and apartments) housing.~~

2. Whether in relation to Spreydon Lodge the:

a. use of the lodge and its curtilage is compatible with its heritage values, including heritage trees, whilst enabling its viable economic use, as informed by advice from:

i. a historian or architectural historian as part of the comprehensive subdivision – (M.E.D.) and land use consent application;

ii. a qualified arborist to determine the age, health, species, historical and scientific significance of the trees.

8.5.4.5 Building typology 8.4.2A.5.2 Building - (M.E.D.) typology, mix, and location

~~1. Whether a mix of building typologies are provided that accommodate all~~

~~life stages, physical abilities, and opportunities for socio-economic diversity.~~

1. Whether there is a sufficient mix of the following residential units - (M.E.D.) types:

a. standalone house - (M.E.D.) and

b. duplex - (M.E.D.) and

c. terrace - (M.E.D.) and

d. apartment - (M.E.D.);

to accommodate choice and opportunities for socio-economic diversity.

2. Whether ~~building~~ residential unit - (M.E.D.) typologies are integrated with other typologies across the block to provide a cohesive street scene and neighbourhood, ~~functional-outdoor-living-space~~ and good levels of privacy and daylight.

3. Whether ~~there is a~~ the distribution of ~~single, semi-detached and mutli-unit (terraces and apartments) housing~~ residential unit (M.E.D) typologies across the development ~~(M.E.D.) that~~ complements and supports the location of ~~other services~~ community facilities provided ~~in the~~ as part of the comprehensive subdivision – (M.E.D.) and land use consent application.

4. Whether ~~buildings~~ the location of residential units – (M.E.D.) (including location of residential units are located to the edge of the block, and/or if a the location of terrace dwellings is parallel to the street), to:

a. address and provide surveillance to the street

b. make use of the additional outlook afforded by the street;

c. protect privacy of adjacent neighbours

d. protect and enhance private back yards and planting opportunities at scale and

e. allow for the comprehensive management of vehicle access – (M.E.D.) and car parking.

5. Whether multi-unit, multi-storey building - (M.E.D.) typologies are located at corner sites – (M.E.D.) in order to:

a. improve way finding and distinction of streets

b. enable orientation of the building - (M.E.D.) toward both adjacent streets in a manner which emphasises these corners;

c. ~~b-~~ utilise the increased access to light and outlook provided by the street edges and

d. ~~e-~~ provide efficient site - (M.E.D.) access - (M.E.D.) for vehicles

and pedestrians.

~~6. allow single level typologies to be provided on larger sites and smaller houses are provided on smaller sites.~~

6. Whether an appropriate building - (M.E.D.) typology is located on an appropriate site - (M.E.D.) to achieve a balance of open space to buildings- (M.E.D.) across the block and on the site - (M.E.D.) and which provides for:
 - a. tree and garden planting
 - ~~b. functional and pleasant outdoor living spaces at a size appropriate to the typology;~~
 - b. ~~e.~~ pedestrian and vehicle access - (M.E.D.)
 - ~~d. service and storage space; and~~
 - c. ~~e.~~ a high level of visual interaction between the building - (M.E.D.) and street or other public space;
 - ~~d. single level typologies on larger sites – (MED) and smaller houses on smaller sites – (M.E.D.); and~~
 - ~~e. minimisation of building - (M.E.D.) footprint and hard surfaces.~~
- ~~7. Whether multi-level typologies are used to minimise built footprint and hard surfaces and to create opportunities for tree and garden planting.~~
- ~~8. Whether multi-unit typologies, especially terraces are designed to be multi-storeys and configured parallel to the street in order to:

 - ~~1. provide surveillance to the street;~~
 - ~~2. make use of the additional outlook afforded by the street; and~~
 - ~~3. protect privacy of adjacent neighbours.~~~~
9. ~~8.~~ Whether garages - (M.E.D.) and parking are secondary to habitable spaces, both with respect to size and expression of form, and are incorporated into the overall site - (M.E.D.) and building - (M.E.D.) design especially when accessed off streets.
- ~~10. Whether two level dwellings include a space for a bed and a bathroom on ground floor for an all-of-life flexibility of housing stock.~~
- ~~11. The extent to which the buildings are articulated and entries, glazing and habitable rooms are provided in respect to street frontages.~~

8.5.4.6 8.4.2A.5.3 Relationship to street and public open spaces

1. Whether the subdivision - (M.E.D.) design:

- ~~1. provides allotments that allow buildings, and in particular habitable rooms and entrances, to address the street, open space or reserves that are adjacent to or opposite;~~
- ~~2. allows an appropriate level of public surveillance and safe environment within open spaces;~~
- ~~3. enables buildings on corner sites to orientate toward both adjacent streets and public open spaces in a manner which emphasises these corners.~~
- a. provides allotments – (M.E.D.), which enable the construction of buildings – (M.E.D.), that provide habitable rooms and front entrances which address the street, open space or reserves that are adjacent to or opposite the allotment;
- b.. ~~4. minimises the potential impact visual dominance, of access – (M.E.D.) and garages on the streetscape or adjacent open space;~~
- c.. ~~5. avoids allotments – (M.E.D.) which necessitate the erection of bunds or large visually impermeable fencing adjacent to the street, lane or other publically accessible open space to create privacy;~~
- d. 6. ensures there is sufficient tree and garden planting particularly in regard to street frontage, building – (M.E.D.) entrances, boundaries – (M.E.D.), accesses – (M.E.D.) ways, and car parking and stormwater management areas to visually soften the built form and associated areas of paving ; and
- e.. ensures that building – (M.E.D.) setbacks – (M.E.D.) provide for variety and amenity in the streetscape, recognising the orientation of the street, while reducing building – (M.E.D.) dominance.
- ~~7. creates fences, walls and gates adjacent to streets, lanes, pedestrian access and open spaces to complement the development and discourage illegitimate entry but maximise surveillance and safety.~~

8.4.2A.5.4 Fences between residential units and the street boundary

1. Whether any fences constructed in the space between the street boundary (M.E.D.) and the residential unit – (M.E.D.) will adversely affect surveillance of the street from the ground floor glazing in the residential unit – (M.E.D.)

8.5.4.8 8.4.2A.5.5 Road network access and parking

Whether:

1. ~~Whether~~ direct access on to State Highways, other than access in accordance with the Outline Development Plans in Appendix 8.6.4A, would result in adverse effects on the safety or efficiency of the State Highway;
2. ~~Whether~~ the road ~~layout~~, cycle and pedestrian features integrates in a practical and functional manner with the adjoining existing road network, cycle, and pedestrian routes and allows for future connections to the wider neighbourhood;
3. ~~Whether~~ the road layout and width within the comprehensive development area achieves a safe, well connected, multi modal, and highly permeable movement network and supports a functional hierarchy of streets with appropriate public transport facilities;
- 4.—6. ~~Whether~~ any reduction in legal road width or road reserve is balanced with private and/or public space amenity, including large scale tree planting;
5. ~~15 Whether~~ the design defines the identity, entry point, and function of lanes through:
 - a. shared vehicle and pedestrian access with no defined footpath;
 - b. variation in lane clearway through design by tightening, extending and terminating views within a lane;
 - ~~c. passive surveillance;~~
 - c. ~~d.~~ a consistent character; and
 - d. the use of landscape treatment including changes in paving material and tree and garden planting; and
6. on site parking, access – (M.E.D.) and driveways are safe and efficient for residents and visitors.
- 3.—~~Whether the subdivision provides connections to cycle and pedestrian routes in the wider neighbourhood.~~
- 5.—~~Whether the road network design provides for the safe movement of vehicles, cyclists and pedestrians, including at intersections.~~
- 6.—~~Whether any reduction in road reserve is balanced with private and/or public space amenity, including large scale tree planting.~~

- ~~7. Whether the legal road width is appropriate to accommodate the proposed cross-section design and a future change in the function of the street (where applicable).~~
- ~~8. Whether the proposed cross sections contribute toward achieving a speed environment that is compatible with street function.~~
- ~~9. Whether the new roads make adequate provision for vehicle movements, car parking and property access.~~
- ~~10. Whether the space is provided for cyclists and cycling in the cross-section design.~~
- ~~11. Whether public transport services including the provision of bus stops is accommodated.~~
- ~~12. Whether the development integrates vehicle access, car parking and garaging in a way that is safe for pedestrians and cyclists as well as vehicles, and minimises the visual and physical impact on the development, particularly when viewed from the street and open spaces.~~
- ~~14. Whether the subdivision design and layout minimises the use of rights of way and long cul-de-sacs.~~

~~8.5.4.9~~ 8.4.2 A.5.6 Infrastructure

1. Whether appropriate provision is made for the ongoing maintenance of any open space areas not vested in the Council and the appropriateness of any mechanism proposed to ensure that open space areas not vested in the Council are available for public access - (M.E.D.).
- ~~2. Where transmission lines cross the site, whether the subdivision design seeks to minimise adverse effects between existing transmission lines and new development, including making provision for maintenance of lines, vehicular access to lines and ensuring safe separation distances.~~
- ~~3. Whether the subdivision will maintain an appropriate level of public surveillance of, and a safe environment within, linear parks.~~
2. 4. Whether the requirements set out by network utility operators in relevant guidelines are met and the so as to ensure:
 - a. network infrastructure can be operated safely and efficiently;
 - b. access - (M.E.D.) is available for maintenance;
 - c. Subdivision should not enable the erection of buildings - (M.E.D.) are not

erected within the minimum safe distances specified in Table 3 of New Zealand Electrical Code of Practice 34:2001; **and or**

- d.** the planting of trees ~~such that might be~~ is not inconsistent with the Electricity (Hazards from Trees) Regulations 2003.
3. ~~5.~~ Whether the proposed subdivision – **(M.E.D.)** provides a quality and appropriate interface with existing or proposed non-road infrastructure, including network infrastructure, and avoids reverse sensitivity in relation to that infrastructure.
4. ~~7.~~ Whether a reticulated sewer can be installed to the development – **(M.E.D.) allotments - (M.E.D.) without the need for more than one waste water pumping station within the development area.**
5. **Whether the provisions of the Council's - (M.E.D.) Infrastructure Design Standard and / or Construction Specification Standard are met.**
6. ~~8.5.4.8 (13)~~ Whether stormwater management features such as **soil absorption, sedimentation and detention basins,** rain gardens, swales, trapped sumps, first flush basins, wetlands or wet ponds ~~are incorporated into the road stormwater treatment design.~~ **contribute to an integrated naturalised surface water network, including the road stormwater treatment design.**

~~8.5.1 Assessment matters – surface water management~~

~~In considering whether or not to grant consent or impose conditions in respect of surface water management, the Council shall have regard to the following assessment matters:~~

- ~~1. The provisions of the Council's Infrastructure Design Standard and / or Construction Specification Standard.~~**
- ~~3. The adequacy of the proposed means of collecting, conveying, treating, attenuating and disposing of surface water from all impervious surfaces, including the management of potential contaminants on industrial sites.~~**
- ~~5. The extent to which open waterway systems for surface water management are proposed rather than piped networks.~~**
- ~~6. Whether the contribution of proposals towards the development of an integrated naturalised surface water network of soil adsorption, sedimentation and detention basins, wet ponds, swales and/or wetlands to treat and manage surface water and avoid (where practicable) a proliferation of smaller facilities.~~**

- ~~16. Whether the stormwater measures adopted ensure the protection of ground water quality including treatment of discharges from roads and sealed car parking areas.~~
- ~~18. The extent to which planting reflects Ngai Tahu's history and identity associated with specific place.~~
- ~~19. Whether the proposed ponding area will be attractive to birdlife that might pose a bird strike risk to the operation of Christchurch International Airport Limited;~~
- ~~21. Whether the Council is satisfied that the design of the ponding area will minimise attracting bird species that pose a bird strike risk to the operations of Christchurch International Airport~~

~~Note: Development contributions for network infrastructure for surface water management services may be required under the Council's Development Contributions Policy.~~

7. ~~2. The extent to which~~ Whether the proposed surface water management systems are consistent with or otherwise achieve the outcomes anticipated by the relevant Council Stormwater Management Plans and / or Integrated Catchment Management Plans and / or any planned surface water works for the South West of Christchurch.
8. ~~4. The adequacy of proposals~~ Whether the proposals for the enhancement of aesthetic and environmental values of artificial drains adequately provides for the establishment of a more natural channel form, and indigenous re-vegetation.
9. ~~7.~~ Whether there is sufficient capacity available in the Council's - (M.E.D.) surface water network to cater for discharges from the development.
10. ~~8. Any~~ Whether adverse effects of the proposal on groundwater, surface water, mahinga kai, or drainage to, or from, adjoining land can be avoided or mitigated.
11. ~~9. Any~~ Whether adverse effects on the functioning or values of the existing network of drains, springs, waterways and ponding areas can be avoided or mitigated.
12. ~~10~~ Whether the provision for, and protection of, the flood storage and conveyance capacity of waterways is adequate.

13. ~~11. The extent to which~~ **Whether** the proposal **appropriately** utilises the existing or proposed topography, **including open waterway systems**, and proposed networks to convey surface water by way of gravity systems.
14. ~~12. The provision of~~ **Whether** appropriate and safe access for maintenance of surface water infrastructure is provided.
15. ~~13. The Adequacy of~~ **Whether the** proposals to control erosion and sediment during the construction phase of works **is adequate**, and the extent to which these proposals comply with local and regional guidelines.
16. ~~14.~~ Whether it is necessary or appropriate to require any easements, consent notices, or local purpose reserves.
17. ~~15. Any~~ **Whether there are** adverse effects on public health **and how these can be avoided and mitigated**.
18. ~~17. The extent to which~~ **Whether** the works appropriately incorporate ~~and/or plant~~ indigenous vegetation **which reflects Ngai Tahu's history and identity associated with the land, taking into account the ability of particular species to manage stormwater**.
19. ~~20.~~ Whether a management plan has been developed that demonstrates there will be ongoing operation and maintenance of the stormwater ~~system to minimise bird strike risk for the life of the stormwater system, and whether that plan has been developed in consultation with Christchurch International Airport Limited.~~
20. **Whether all allotments – (MED) have an approved connection to reticulated sewer, stormwater, and water networks and the capacity to connect to electrical and telecommunication networks.**

8.4.2A.5.7 Compliance with the Outline Development Plan

Whether the departure from the layout in the outline development plan is appropriate taking into account:

- a. **the overall vision and intent as expressed in the Neighbourhood Plan; and**
- b. **any actual or potential impact on the delivery of integrated infrastructure including road, water, wastewater, stormwater and open space across the whole outline development plan area.**

14.9.25 **8.4.2A.5.8** Water supply for fire-fighting

Whether sufficient fire fighting water supply is provided so as to ensure the health and safety of the community, including neighbouring properties, is provided.

14.9.5 **8.4.2A.5.9** Outdoor Living space

Whether the level, location or configuration of outdoor living space will ~~adversely affect the ability of the site to~~ provide for the needs of occupants, taking into account:

1. In relation to the amount of Outdoor Living Space:
 - a. ~~alternative~~ provision of publicly available space on, or in close proximity to, the site – **(M.E.D)** to meet the needs of occupants now and in the future;
 - b. the size of the residential unit – **(M.E.D.) serviced by the space** and the demands of the likely number of occupants now and in the future; and
 - c. compensation by alternative space within buildings – **(M.E.D.)** with access to ample sunlight and fresh air.
2. In relation to the location and configuration of Outdoor Living Space:
 - a. allocation between private and communal outdoor living spaces within the site – **(M.E.D)** to meet the current and future needs of occupants of the site – **(M.E.D.)**;
 - b. easy accessibility of outdoor living space – **(M.E.D.)** to all occupants of the site – **(M.E.D.)**;
 - c. design of communal space to clearly signal that it is for communal use;
 - d. ~~where the communal outdoor/indoor spaces are not continuous on a large site, the ability of the spaces to~~ **and** ~~meets~~ the needs of occupants and provides a high level of residential amenity;
 - e. ~~in the Residential Suburban Zone where the outdoor living space is split into more than one space, the range of recreational functions and accessibility from habitable spaces; and~~
 - d. the adverse effects of any additional loss of mature on-site vegetation and/or spaciousness of the area.

14.9.11 8.4.2A.5.10 Service, storage, and waste management spaces

Whether, there is sufficient useful and functional service, waste management, and storage space, taking into account:

~~1. in relation to the amount of space:~~

- a. the adequacy of the amount of space to store rubbish and recycling, whether communal, outdoor or indoor;
- b. the adequacy of the volume of space provided for personal storage;

~~2. in relation to the configuration of space:~~

- ~~c.~~ **c.** the convenience of the location of rubbish and recycling space for residents;
- ~~d.~~ **d.** how the lack of screening of any outdoor service space will adversely affect the visual amenity within the site – (M.E.D.) and of any adjoining site – (M.E.D.), activity, or the street scene;
- ~~e.~~ **e.** the size and flexibility of the residential unit – (M.E.D.) layout to provide other indoor storage options where an indoor storage space is not provided for each unit; and
- ~~f.~~ **f.** the adequacy, accessibility and convenience of alternative storage areas provided on the site – (M.E.D.) where indoor storage space is not provided for each residential unit – (M.E.D.).

14.9.9 8.4.2A.5.11 Minimum unit size and unit mix

- 1. ~~In considering under sized units,~~ whether the ~~reduced~~ unit size is appropriate taking into account:

- a. the floorspace available and the internal layout and their ability to support the amenity of current and future occupants;
- b. other on-site – (M.E.D.) factors that would compensate for a reduction in unit sizes e.g. communal facilities;
- c. scale of adverse effects associated with a minor reduction in size in the context of the overall residential complex on the site – (M.E.D.); and
- d. ~~needs of~~ any social housing ~~tenants~~ requirements.

- ~~2. In considering unit mix whether, the mix is appropriate taking into account:~~

~~— marginal reductions arising from the way in which the standard is calculated;~~

- ~~a. the diversity in unit sizes available in the surrounding area;~~
- ~~b. the necessity to meet the specific needs of future social housing tenants; and~~
- ~~c. unique or exceptional site specific circumstances that would result in a situation where compliance with the standards would have an unduly restrictive impact on the ability to develop the site.~~

8.4.2A.5.12 Consistency with the statement of commitment to exemplar housing

Whether the comprehensive subdivision – (M.E.D.) and land use consent is consistent with the “Meadowlands An Exemplar Housing Development Statement of Commitment” as approved by the Council – (M.E.D.) on 24 April 2014.

14.9.2 8.4.2A.5.13 Building-height, minimum and maximum storeys and daylight recession planes

Whether the increased height – (M.E.D.) ~~or recession plane~~ intrusion would result in buildings – (M.E.D.) that:

- a. remain compatible with the scale of other buildings – (M.E.D.) anticipated in the area; or
- b. do not compromise the amenity of adjacent properties;

taking into account:

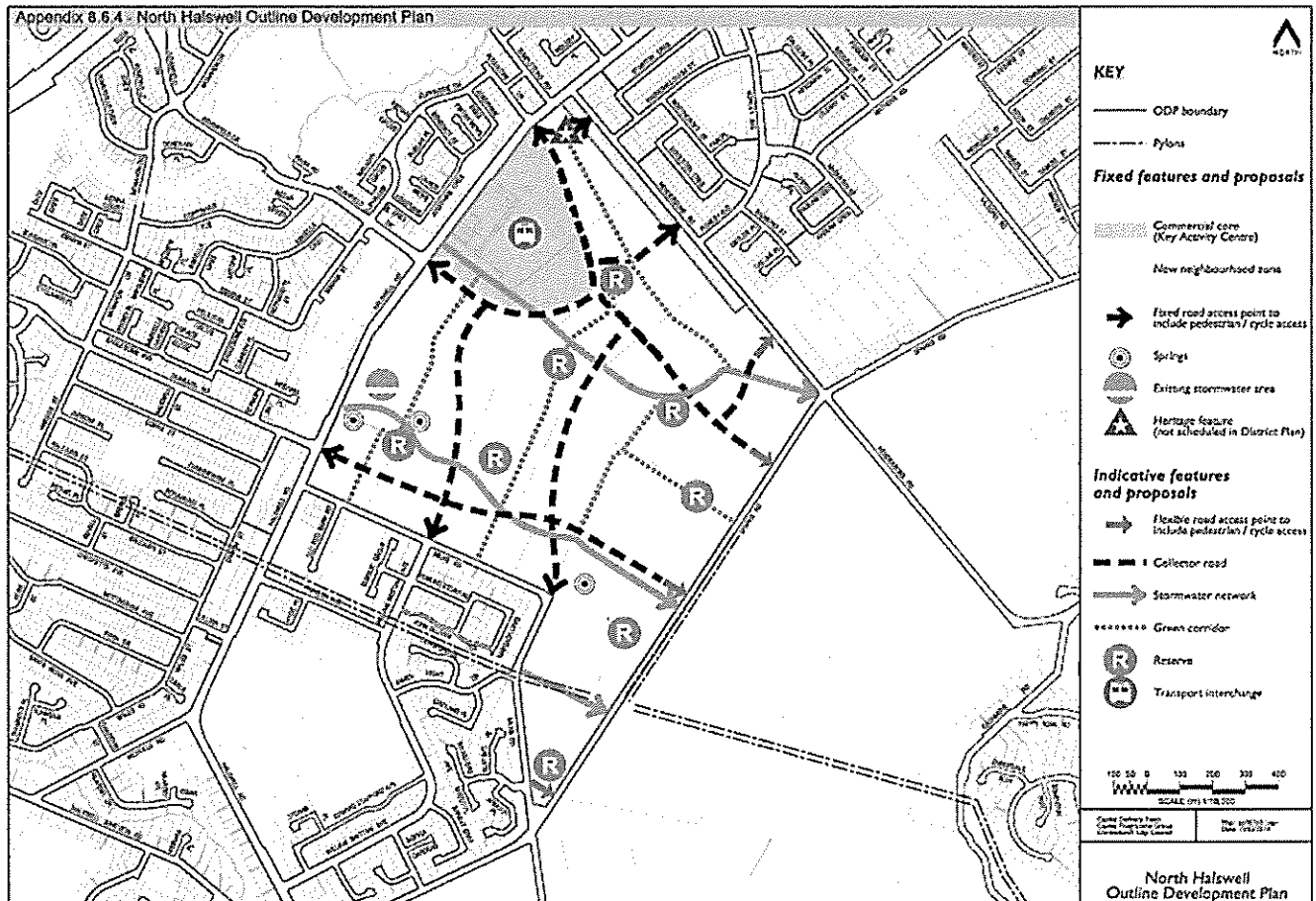
- i. **a.** The visual dominance of proposed buildings – (M.E.D.) on the outlook from adjacent sites – (M.E.D.), roads and public open space in the surrounding area, which is out of character with the local environment;
- ii. **b.** Overshadowing of adjoining sites – (M.E.D.) ~~resulting in reduced sunlight and daylight admission to~~ internal and external living spaces ~~beyond that anticipated by the recession plane, and where applicable the horizontal containment requirements for the zone;~~
- iii. **e.** Any potential loss of sunlight admission to internal living spaces in winter with regard to energy utilisation;
- iv. **d.** Any loss of privacy through being over-looked from neighbouring buildings – (M.E.D.);
- v. **e.** Whether development on the adjoining site – (M.E.D.), such as large building – (M.E.D.) setbacks, location of outdoor living spaces, or separation by land used for vehicle access, reduces the need for protection of adjoining site – (M.E.D.) from overshadowing;
- vi. **f.** The ability to mitigate any adverse effects of height breaches through increased separation distances between the building – (M.E.D.) and adjoining site – (M.E.D.), the provision of screening or any other methods; and
- vii. ~~**g.** Within a Floor Level and Fill Management Area, whether the recession plane infringement is the minimum necessary in order to achieve the required minimum floor level.~~

c. Whether any additional storeys within the 11m height limit would create unduly confined spaces with limited usability.

d. Whether there is an inappropriate step change in heights between the Key Activity Centre – (M.E.D.) and the exemplar area.

Appendix 8.6.4- North Halswell Outline Development Plan

Amend proposed Appendix 8.6.4 by removing the Commercial Core (Key Activity Centre) from the Exemplar site as shown below:



New Definitions

Access – (M.E.D.)

means that area of land over which vehicular and/or pedestrian access to legal road is obtained and includes:

1. an access strip;
2. an access lot; and
3. a right-of-way

but does not include a new-neighbourhood-entry-lot.

Reliant definitions

Access lot

Access strip

Lot

New-neighbourhood

entry-lot

Right-of-way

Road

Accessory building – (M.E.D.)

means a building which is incidental to the principal building or buildings on the site. In respect of land used for residential activity, accessory building includes a sleep-out, garage or carport, shed, glasshouse, fence, solar panels and solar water-heating devices not attached to a building and an indoor swimming pool, but not a family flat, balcony or similar structure (whether free-standing or attached to any building). An accessory building is not a residential unit.

Reliant definitions

Balcony

Building – (M.E.D.)

Garage

Principal building

Residential activity –

(M.E.D.)

Residential unit –

(M.E.D.)

Site – (M.E.D.)

Sleep-out

Allotment (M.E.D.)

Rezoning of exemplar housing areas under Action 8 of the Land Use Recovery Plan (North Halswell) (and relevant definitions)

[has the same meaning as s218 of the Resource Management Act 1991]

Reliant definitions

means—

a. any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—

- i. the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or
- ii. a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or

b. any parcel of land or building or part of a building that is shown or identified separately—

- i. on a survey plan; or
- ii. on a licence within the meaning of Part 7A of the Land Transfer Act 1952; or

c. any unit on a unit plan; or

d. any parcel of land not subject to the Land Transfer Act 1952 <http://www.legislation.govt.nz/act/public/1952/0052/latest/DLM269032.html>;

except that, for the purpose of this Plan, in the case of:

- e. land being subdivided, the word "allotment" shall be extended to include an area of land or volume of space, the boundaries of which are separately shown on a plan submitted with an application for subdivision consent, including two or more areas (whether adjoining or not) which are held, intended to be held, or required to be held together in a single certificate of title, and any balance area;
- f. land being subdivided under the cross lease or company lease systems or the Unit Titles Act 2010, the word allotment shall be extended to have the same meaning as site.

Lot shall have the same meaning as allotment.

Subdivision
- (M.E.D.)
Building –
(M.E.D.)

Apartment – (M.E.D.)

in relation to a New Neighbourhood Zone, means a residential building that contains two or more residential units where those units are aligned vertically one on top of the other.

Reliant definitions

Residential unit =
(M.E.D.)

Related definitions

Duplex – (M.E.D.)

Standalone house =
(M.E.D.)

Terrace – (M.E.D.)

Boundary – (M.E.D.)

means any boundary of the net site area of a site. Site boundary or boundaries of a site shall have the same meaning as boundary.

~~a. Internal boundary means any boundary of the net site area of a site other than a road boundary.~~

~~b. Road boundary means any boundary of a site abutting a legal road (other than an access way or service lane), road reserve or road designation.~~

~~Frontage or road frontage shall have the same meaning as road boundary.~~

~~Where a point strip exists between a site and any road or internal boundary, any building setback or recession plane requirement shall apply as if the point strip does not exist~~

Reliant definitions

~~Access way~~

~~Building~~

~~Frontage~~

Net site area (M.E.D.)

~~Point strip~~

~~Road~~

~~Road reserve~~

~~Service lane~~

~~Setback~~

Site – (M.E.D.)

~~Site boundary~~

Related definitions

~~Building line~~

~~restriction~~

~~Gross leasable floor area~~

~~Legally defined~~

~~parcel of land~~

~~Public floor area~~

~~Vehicle crossing~~

Building – (M.E.D.)

means as the context requires:

- a. any structure or part of a structure whether permanent, moveable or immovable; and/or
- b. any use, erection, reconstruction, placement, alteration or demolition of any structure or part of any structure in, on, under or over the land;
- c. any vehicle, trailer, tent, marquee, shipping container, caravan or boat, whether fixed or moveable, used on-site as a residential unit or place of business or storage;
- but does not include:
- d. any scaffolding or falsework erected temporarily for maintenance or construction purposes;
- e. fences or walls of up to 2m in height, not used for advertising or for any purpose other than as a fence or wall;
- f. retaining walls which are both less than 6m² in area and less than 1.8m in height;
- g. structures which are both less than 6m² in area and less than 1.8m in height;
- h. masts, poles, radio and telephone aerials less than 6m above mean ground level;
- ~~i. any public artwork located in that part of the city contained within Bealey, Fitzgerald, Moorhouse, Deans and Harper Avenues;~~
- ~~and in the case of Banks Peninsula only, does not include:~~
- ~~j. any dam that retains not more than 3m depth, and not more than 20,000m³ volume of water, and any stopbank or culvert;~~
- ~~k. any tank or pool and any structural support thereof (excluding a swimming pool as defined in Section 2 of the Fencing of Swimming Pools Act 1987), including any tank or pool that is part of any other building for which building consent is required:~~
- ~~i. Not exceeding 25,000 litres capacity and supported directly by the ground; or~~
- ~~ii. Not exceeding 2,000 litres capacity and supported not more than 2m above the supporting ground;~~
- ~~l. stockyards up to 1.8m in height.~~

Note: This definition of building is different from the definition of building provided in Sections 8 and 9 of the Building Act 2004, and the effect of this definition is different from the effect of Schedule 1 of the Building Act 2004 in that some structures that do not require a building consent under the Building Act 2004 may still be required to comply with the provisions of the District Plan..

Reliant definitions~~Banks Peninsula-~~~~District Plan~~~~Ground level~~~~Height – (M.E.D.)~~~~Public artwork~~~~Residential unit –~~~~(M.E.D.)~~**Related definitions**~~Accessory building –~~~~(M.E.D.)~~~~Approved building~~~~Articulation~~~~Building line~~~~restriction~~~~Development –~~~~(M.E.D.)~~~~Erection of a~~~~building~~~~Gross floor area-~~~~Gross leasable floor~~~~area-~~~~Habitable building~~~~Modulation~~~~Net floor area~~~~Public floor area~~~~(PFA)~~~~Relocatable building~~~~Residential building~~~~platform~~~~Temporary~~~~buildings and~~~~activities~~

Council – (M.E.D.)

means the Christchurch City Council or any committee, subcommittee, commissioner, officer or person to whom the Council's powers, duties or discretions under the Resource Management Act 1991 have lawfully been delegated.

Reliant definitions**Act****Density uplift areas – (M.E.D.)**

means an area of a New Neighbourhood Zone of at least 7000m² for which a higher density of residential development is being sought through a comprehensive subdivision and land use consent application.

Reliant definitions

Development =

(M.E.D.)

Subdivision =

(M.E.D.)**Development – (M.E.D.)**

means any use of land involving the erection, alteration, addition, repair, maintenance, or relocation of a building or buildings on a site.

Reliant definitionsBuilding - **(M.E.D.)****Relocation of a building**Site - **(M.E.D.)****Development plan – (M.E.D.)**

means a plan for a specified area, required in conjunction with a resource and/or subdivision consent for a commercial zone, the New Neighbourhood Zone or the Living G Zone.

Reliant definitions

Development =

(M.E.D.)

Subdivision =

(M.E.D.)**Related definitions**

Neighbourhood plan =

(M.E.D.)

Duplex – (M.E.D.)

means a single residential building containing two residential units each with its own entrance and habitable space on the ground floor.

Reliant definitions

Building – (M.E.D.)

~~Habitable space~~

Residential unit –
(M.E.D.)

Related definitions

Apartment – (M.E.D.)

Standalone house –
(M.E.D.)

Terrace – (M.E.D.)

Future development allotment – (M.E.D.)

means an allotment encumbered to achieve the density required by the zone.

Reliant definitions

Allotment –
(M.E.D.)

Garage – (M.E.D.)

means an accessory building, or part of a building, designed or used for housing motor vehicles and other miscellaneous items and can include a carport, workshop, laundry and/or sleep-out ancillary to any associated residential unit. Garages may be located on a site other than the site of the residential unit.

Reliant definitions

Accessory building –
(M.E.D.)

Building – (M.E.D.)

Residential unit

Site – (M.E.D.)

Sleep-out

Guest accommodation – (M.E.D.)

means the use of land and/or buildings for transient residential accommodation offered at a tariff, which may involve the sale of alcohol and/or food to in-house guests, and the sale of food, with or without alcohol, to the public. Guest accommodation includes motels, motor and tourist lodges, hostels and camping grounds.

Reliant definitions

Building – (M.E.D.)

Related definitions

~~Habitable building~~

~~Habitable space~~

~~Hotel~~

Residential activity –
(M.E.D.)

Residential unit –
(M.E.D.)

Height – (M.E.D.)

in relation to a building means the vertical distance between ground level at any point and the highest part of the building immediately above that point, except that for the purpose of calculating height in all zones, account shall be taken of parapets, but not of:

a. radio and television aerials attached to a residential unit, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5 metres; and

b. finials, provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 1.5 metres.

~~c. lift shafts, plant rooms, water tanks, air conditioning units, ventilation ducts, chimneys and antennae and similar architectural features on buildings in all Commercial and Industrial Zones including the Special Purpose (Wigram) Zone area, the Central City Business and Mixed Use Zones, the Cultural 4 Zone, the Living 5 Zone in the Central City, Central City Living Zone and the Special Purpose (Airport) Zone, provided they do not exceed an additional 6 metres or 20% of the height of a building (whichever is lesser) and not more than 25% of the plan area of a building;~~

~~d. c.~~ chimneys (not exceeding 1.1 metres in any direction) except allowed for in the Central City Living and L5 Zones under subclause (3) above.

e. ~~d.~~ any utility or part of a utility with a horizontal dimension of less than 55 millimetres.

Reliant definitions

Building =

(M.E.D.)

~~Ground-level~~

~~Utility~~

Key activity centres - (M.E.D.)

means the ~~following key existing and~~ proposed commercial centres adjacent to the Meadowlands Exemplar identified as a focal points for employment, community activities and the transport network, and which are suitable for more intensive mixed-use development, as identified in the Canterbury Regional Policy Statement, Chapter 6, on Map A. ~~The Key Activity Centre in each location includes land zoned Commercial Core and, where applicable, Commercial Fringe and Commercial Retail Park.~~

- ~~1. Papanui;~~
- ~~2. Shirley;~~
- ~~3. Linwood;~~
- ~~4. New Brighton;~~
- ~~5. Belfast;~~
- ~~6. Riccarton;~~
- ~~7. North Halswell;~~
- ~~8. Spreydon; and~~
- ~~9. Hornby.~~

Reliant definitions

**Commercial
centre
Mixed-use**

Related definitions

**District centre
Neighbourhood
centre**

Neighbourhood block area - (M.E.D.)

means an area of no less than 8ha with a New Neighbourhood zoning.

Related definitions

Neighbourhood plan =
(M.E.D.)

Neighbourhood plan - (M.E.D.)

means a plan covering an area of no less than 8ha in a New Neighbourhood Zone which identifies the expected residential development for that land.

Related definitions

Development plan =
(M.E.D.)
Neighbourhood block area
= (M.E.D.)

Net site area – (M.E.D.)

in relation to a site or allotment, means the total area of the site or allotment less any area subject to a designation for any purpose, any strip of land 6m or less in width and any area of land where that land is the shared access for more than one site.

Reliant definitions

Access – (M.E.D.)

Allotment =

(M.E.D.)

Site – (M.E.D.)

Related definitions

Boundary =

(M.E.D.)

New neighbourhood hectare – (M.E.D.)

means a continuous 10,000m² of land for:

- a. residential activities, including all associated open space and on-site parking areas;
 - b. roads but excluding State Highways, and major arterial roads; and
 - c. neighbourhood reserves of 3,000m² or larger as managed under the relevant Activity Management Plan under the Local Government Act 2002.
- but excludes land:
- d. to be vested in the Council as a local purpose reserve;
 - e. subject to rock roll, liquefaction, subsidence or high flood hazard and where these geotechnical constraints are not going to be remedied so that the land can contain residential units;
 - f. set aside to protect significant ecological, cultural, historic heritage, or landscape values;
 - g. set aside for esplanade reserves or access strips that form part of a Garden and Heritage Park, Regional Park, Sports Park or Cemetery as managed under the relevant Activity Management Plan under the Local Government Act 2002.

Reliant definitions

~~Access-strip~~

Council – (M.E.D.)

~~Esplanade reserve~~

~~High-flood-hazard~~

~~Major arterial roads~~

~~Parking-area~~

~~Reserve~~

Residential activity =

(M.E.D.)

Residential unit =

(M.E.D.)

~~Road~~

New neighbourhood net density – (M.E.D.)

means the number of household units per new neighbourhood hectare.

Reliant definitions

New neighbourhood hectare – (M.E.D.)

Residential activity – (M.E.D.)

means the use of land and/or buildings for the purpose of living accommodation and includes:

- a. a residential unit or a family flat;
 - b. emergency and refuge accommodation; and
 - c. sheltered housing;
- but does not include:
- d. guest accommodation; and
 - e. the use of land and/or buildings for custodial and/or supervised living accommodation where the residents are detained on the site.

Reliant definitions

Building - (M.E.D.)

Guest accommodation – (M.E.D.)

Residential unit - (M.E.D.)

Sheltered housing - (M.E.D.)

Related definitions

Accessory building – (M.E.D.)

~~Elderly person's housing unit~~

~~Habitable building~~

~~Home occupation~~

~~Mixed-use~~

~~Residential allotment~~

~~Retirement village~~

~~Sensitive activities~~

~~Urban activities~~

Residential unit - (M.E.D.)

means a self-contained building (or group of buildings including accessory buildings) used for a residential activity by one or more persons who form a single household unit. For the purposes of this definition:

- a. a building used for emergency or refuge accommodation shall be deemed to be used by a single household;
- b. where there is more than one kitchen on a site (other than a kitchen in a family flat) there shall be deemed to be more than one residential unit;
- c. a residential unit may include no more than one family flat as part of that residential unit; and
- d. a residential unit may be used as a holiday home provided it does not involve the sale of alcohol, food or other goods.

Reliant definitions

Accessory building - (M.E.D.)

Building - (M.E.D.)

Residential activity - (M.E.D.)

Site - (M.E.D.)

Related definitions

Accessory building - (M.E.D.)

Principal building**Setback - (M.E.D.)**

means the distance between a building and the boundary of its site or other specified item.

Reliant definitions

Boundary - (M.E.D.)

Building - (M.E.D.)

Site - (M.E.D.)

Related definitions

Building line restriction

Sheltered housing - (M.E.D.)

means a residential unit or units used solely for the accommodation of persons for whom on-site professional emergency care, assistance or response is available, but not where residents are detained on the site.

Reliant definitions

Residential unit - (M.E.D.)

Site - (M.E.D.)

Subdivision – (M.E.D.)

[has the same meaning as in s 218 of the Resource Management Act 1991]

means—

- a. the division of an allotment—
 - i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or
 - ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or
 - iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or
 - iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or
 - v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or
- b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by Section 226,— and the term subdivide land has a corresponding meaning.

Reliant definitions

Allotment –
(M.E.D.)

Related definitions
Development
contribution

Standalone house – (M.E.D.)

means a single residential unit that is unattached to another residential unit.

Reliant definitions

Residential unit –
(M.E.D.)

Related definitions
Apartment – **(M.E.D.)**
Duplex – **(M.E.D.)**
Terrace – **(M.E.D.)**

Terrace – (M.E.D.)

means a single residential building:

- a. that contains three or more residential units;
- b. where the residential units are aligned horizontally side by side; and
- c. where each residential unit has its own entrance and habitable rooms on the ground floor.

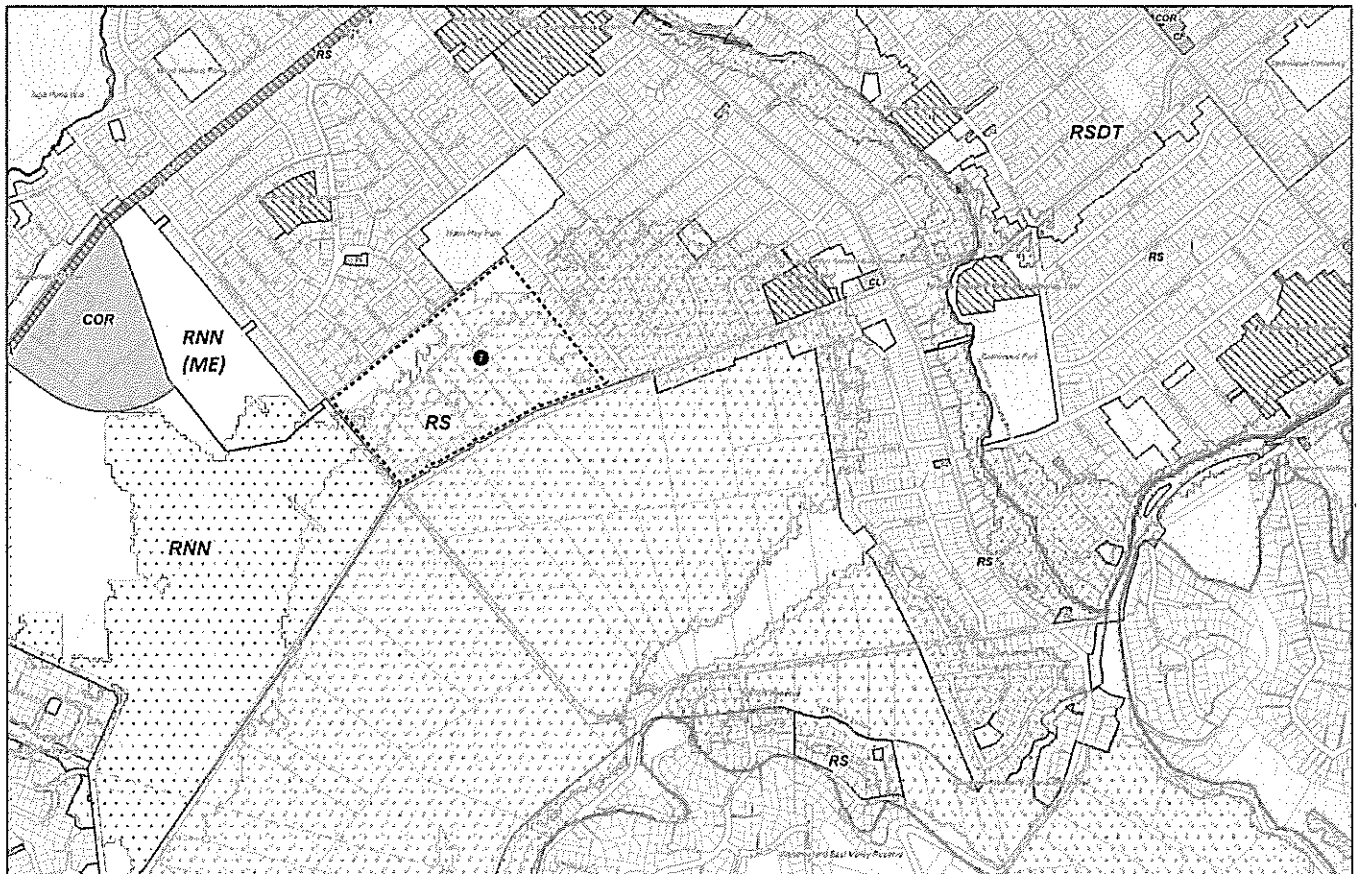
Reliant definitions

Residential unit –
(M.E.D.)

Related definitions
Apartment – **(M.E.D.)**
Duplex – **(M.E.D.)**
Standalone house –
(M.E.D.)

Planning Map 45

Amend proposed Planning Map 45 by removing the Commercial Core (Key Activity Centre) from the Exemplar site and adding the Residential New Neighbourhood (MED) zone as shown below:



Christchurch
City Council

The proposed
Christchurch
Replacement District Plan

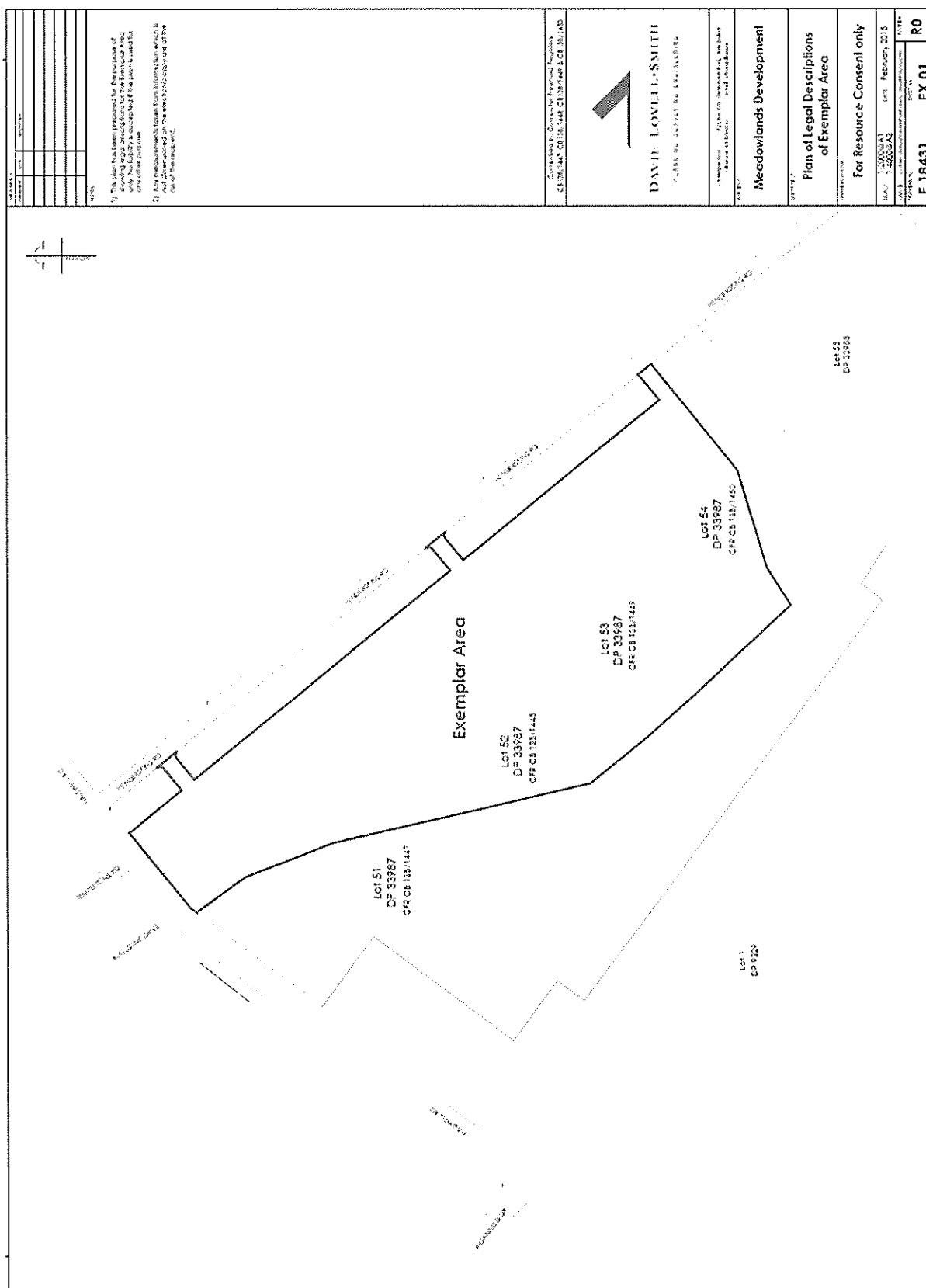
37	38	39
40	41	42
43	44	45

Planning Map 45

Scale 1:10000 on A3
27/03/2014

SCHEDULE 2

Plan showing legal descriptions of Meadowlands Exemplar



Rezoning of exemplar housing areas under Action 8 of the
Land Use Recovery Plan (North Halswell) (and relevant definitions)

Independent Hearings Panel

Christchurch Replacement District Plan

Te aaranga motuhake o te mahere whakahoā a rohe o Ōtautahi

SCHEDULE 3**Changes to the Operative plan**

Operative provision to be replaced or deleted	Reason
Planning Map 45A	Delete Rural 2 Zone from the Exemplar Site
Planning Map 52A	Delete Rural 2 Zone from the Exemplar Site