

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: 18–25 January and 2–10 February 2016

Date of decision: 26 August 2016

Hearing Panel: Hon Sir John Hansen (Chair), Environment Judge John Hassan, Ms Sarah Dawson, Dr Phil Mitchell, Ms Jane Huria

DECISION 38

CHAPTER 9: NATURAL AND CULTURAL HERITAGE (PART)

Topic 9.2 — Outstanding Natural Features and Landscapes, Significant Features and Landscapes and Areas of Natural Character in the Coastal Environment

Outcome: **Proposals changed as per Schedule 1**

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INTRODUCTION

Preliminary matters

[1] This decision follows our hearing of submissions and evidence and is one of a series we have made under the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 (‘OIC’ or ‘Order’) for the formulation of the Christchurch Replacement District Plan (‘CRDP’).¹ Primarily,² it concerns part of Chapter 9 Natural and Cultural Heritage of the CRDP, notified by the Christchurch City Council (‘CCC’/Council’), specifically Topic 9.2 — Outstanding Natural Features and Landscapes, Significant Features and Landscapes and Areas of Natural Character in the Coastal Environment (‘Notified Version’/‘Topic 9.2’).

[2] This decision is made with reference to the final version of the Topic 9.2 proposal provided by the Council,³ together with updated Planning Maps and an associated schedule of changes (‘Revised Version’).⁴ We treat the Revised Version as effectively representing the final position of the Council, in light of evidence and submissions.

[3] Therefore, except where the evidence and submissions of other parties persuade us otherwise, our s 32AA RMA evaluation of alternatives treats the Revised Version as supplanting the Notified Version.

[4] Schedule 1 to this decision (‘Decision Version’) sets out the Topic 9.2 provisions we have confirmed by this decision, which includes some changes from the Revised Version.⁵

[5] This decision is released in conjunction with two decisions bearing some relationship with Topic 9.2:

¹ Members of the Hearings Panel who heard and determined this proposal are set out on the cover sheet.

² Under cl 13(5) of the OIC, the decision also makes some minor consequential changes to Chapter 7: Transport and Chapter 18: Open Space to ensure coherence and consistency.

³ On 17 June 2016, the Council provided an update on the version attached to the closing submissions for the Council, dated 29 March 2016, to address provisions arising from Topic 9.5 (Sites of Ngāi Tahu Cultural Significance) together with its closing submissions for that Topic

⁴ Closing legal submissions of the Council, 29 March 2016, Attachments A and B.

⁵ Our decision is made under cl 12(1)(b) of the Order. We are required to serve this decision on the Council as soon as practicable, and no later than five working days after the Council receives the decision, it must give public notice of it (and of the matters specified in the Order) and serve that public notice on all submitters on the Notified Version: cl 15, Schedule 3, OIC. The OIC also specifies other obligations on the Council in terms of making copies of the Decision available.

- (a) Decision 37 deals with related matters concerning Chapter 4, as to the Papakāinga/Kāinga Nohoanga Zone ('PKN Zone') and the regulation of Māori land within specified overlays confirmed by this decision.
- (b) Decision 39 deals with minimum lot size for subdivision of Māori Land within the PKN Zone.

Provisions deferred

[6] Consistent with the Panel's approach in other decisions, we have deferred our determination of definitions to our separate decision on relevant definitions.⁶

[7] A number of Panel decisions have been deferred until our determination of Chapter 9 various provisions. In particular, such deferrals were made in Decision 28 on Chapter 8 Subdivision, Development and Earthworks (part) — Stage 2, and Decision 34 on Chapter 17 Rural.⁷ In some cases, these deferrals relate to matters beyond Topic 9.2. Given that, we do not determine those various deferrals in this decision, but will do so in conjunction with our determination of other Chapter 9 matters.

Rights of appeal and effect of decision

[8] The following persons may appeal our decision to the High Court (within the 20 working day time limit specified in the Order), but only on questions of law:

- (a) Those who have made submissions (and/or further submissions) on the Notified Version;
- (b) The Minister for Canterbury Earthquake Recovery and the Minister for the Environment, acting jointly; and
- (c) The Council.

⁶ We explain at [86] why we consider the Council's proposed definitions of 'landscape' and 'naturalness' unnecessary.
⁷ Decision 28: Subdivision, Development and Earthworks — Stage 2 at [8]; Decision 34: Rural at [8] in relation to Topic 9.2.

[9] The Decision Version will be deemed to be approved by the Council on and from:

- (a) The date the appeal period expires (if there are no appeals); or
- (b) The date on which all appeals relating to it are determined.

Identification of parts of Existing District Plan to be replaced

[10] The OIC requires that our decision also identifies the parts of the Existing Plan⁸ to be replaced by the Decision Version. As the Panel has not yet released other Chapter 9 decisions, nothing of the Existing Plan is replaced by this decision.

Conflicts of interest

[11] We have posted notice of any potential conflicts of interest on the Independent Hearings Panel website.⁹ No party raised any issue.

REASONS

STATUTORY FRAMEWORK

Order in Council and the Resource Management Act 1991

[12] In terms of the statutory framework, we adopt and rely on the analysis we set out in our Strategic Directions and Natural Hazards decisions.¹⁰

[13] By way of summary, the OIC directs that we hold hearings on submissions concerning proposals, and make decisions on those proposals.¹¹ The OIC sets out what we must and may consider, including applying and modifying the application of the Resource Management Act

⁸ Comprising the existing Christchurch City District Plan and Banks Peninsula District Plan.

⁹ The website address is www.chchplan.ihp.govt.nz.

¹⁰ In particular, we refer to [25]–[28] of our Strategic Directions decision dated 26 February 2015, and [35]–[38] of our Natural Hazards decision dated 17 July 2015.

¹¹ OIC, cl 12(1).

1991 ('RMA') in terms of both decision-making criteria and processes. It directs us to comply with s 23 of the Canterbury Earthquake Recovery Act 2011 ('CER Act'), and specifies additional matters for our consideration.¹²

Submissions considered and heard

[14] We have considered all of the submissions and further submissions made on the Notified Version insofar as they pertain to the matters addressed in this decision.¹³ We have considered the related representations and submissions (including legal submissions) made by those submitters, and the related evidence presented on their behalf. We deal with that in the content of our s 32AA evaluation, later in this decision.

[15] Our decision serves to report on our evaluation, according to the requirements of ss 32 and 32AA.¹⁴ Our evaluation is informed by the submissions and evidence, and, in particular, by the large degree of consensus amongst expert witnesses and parties on what are the most appropriate provisions. That includes the several conferencing statements reporting full consensus amongst experts for the Council and particular parties.¹⁵ In those cases, we have generally accepted the consensus reached, in deciding on the most appropriate provisions for inclusion in the Decision Version (other than to the extent that we have found it necessary to make drafting clarity and consistency refinements, for the reasons we explain). We accept and rely on the evidence of the Council's experts in all respects where we have accepted, or substantially accepted, provisions proposed in the Revised Version for inclusion in the Decision Version.

[16] We detail our reasons, and associated evaluation, on those matters where we have taken a different view and/or where there is not full agreement between those experts.

¹² Our decision does not set out the text of various statutory provisions it refers to, as this would significantly lengthen it. However, the electronic version of our decision includes hyperlinks to the New Zealand Legislation website. By clicking the hyperlink, you will be taken to the section referred to on that website. The CER Act was repealed and replaced by the Greater Christchurch Regeneration Act 2016 ('GCRA'), which came into force on 19 April 2016. However, s 148 of the GCRA provides that the OIC continues to apply and the GCRA does not effect any material change to the applicable statutory framework for our decision or to related Higher Order Documents. That is because s 147 of the GCRA provides that the OIC continues in force. Further, Schedule 1 of the GCRA (setting out transitional, savings and related provisions) specifies, in cl 10, that nothing in that Part affects or limits the application of the Interpretation Act 1999 which, in turn, provides that the OIC continues in force under the now-repealed CER Act (s 20) and preserves our related duties (s 17).

¹³ Schedule 3 lists witnesses who gave evidence for various parties, and submitter representatives. Counsel appearances are recorded in Schedule 2.

¹⁴ RMA, s 32(1)(c) and s 32AA(1)(a)–(d).

¹⁵ Relevant conferencing statements include those pertaining to submitters McVicar (3613), Orion (3730), Transpower (2218), the Crown (3721) and Annandale Enterprises (3630), all dated 9 November 2015.

Statutory principles and Higher Order Documents

[17] There was no material dispute as to the relevant statutory principles and Higher Order Documents for our consideration of this topic. In particular, those include ss 6(a), (b) and (e), and 7(c) of the RMA, the New Zealand Coastal Policy Statement 2010 ('NZCPS') and the Canterbury Regional Policy Statement 2013 ('CRPS').¹⁶

Relevance of Strategic Directions decision

[18] Our Strategic Directions decision is also relevant in that it contains objectives 'for the district'¹⁷ which are now operative as part of the provisions of the CRDP.¹⁸ Under the RMA, the policies and rules of the CRDP are to implement related objectives.¹⁹ Again, that was not a matter which any party disputed, and we refer to and apply the analysis we give in our Strategic Directions decision for our findings on that.²⁰

The NZCPS and CRPS

[19] The Council's landscape expert, Ms Yvonne Pflüger,²¹ explained how the approach to assessment that underpins the Notified Version (and, therefore, the Revised Version) was informed by related RMA principles and these Higher Order Documents. That was not challenged in expert evidence.

[20] Relevant objectives and policies of the NZCPS and CRPS are addressed later in this decision. No submitter argued in closing that the Notified or Revised Versions would not give effect to them (except to the limited extent the Crown raised this matter in regard to some matters of structure and drafting, which we address at [49]–[61]). Subject to the changes we have made to the Revised Version, we find that these Higher Order Documents have been

¹⁶ RMA, s 75(c)(c).

¹⁷ 'Christchurch District' defined in OIC, cl 3(1).

¹⁸ In terms of cl 16 of the Order.

¹⁹ RMA, s 75.

²⁰ Section 32AA RMA further evaluation at [97]–[130], Interpretation at [148]–[149], and also in relation to Objective 3.3.6 Natural Hazards.

²¹ Ms Pflüger is a Senior Landscape Planner with Boffa Miskell Limited (BML), and is a Principal in that company. She has a Masters degree in Landscape Planning from BOKU University, Vienna (Austria, 2001) and a Masters degree in Natural Resources Management and Ecological Engineering from Lincoln University (NZ, 2005). She is a Certified Environmental Practitioner under the Environment Institute of Australia and New Zealand. She is a Full Member of the Austrian Institute of Landscape Architects and the New Zealand Resource Management Law Association, and a Registered Member of the New Zealand Institute of Landscape Architects.

appropriately addressed and the Decision Version properly gives effect to the NZCPS and CRPS.

The required s 32 and s 32AA RMA evaluations

[21] Our Strategic Directions decision set out the requirements for the Council's s 32 and our s 32AA RMA evaluations.²² As it is materially the same for this decision, we apply the analysis we gave of that framework in that decision as we address the various issues in this decision. On the requirements of ss 32 and 32AA, RMA, we endorse and adopt [48]–[54] of Decision 15 on Natural Hazards.²³

[22] It is the nature of our role that our s 32 and s 32AA evaluation should be informed by the submissions and evidence that we have heard and our findings on them.

THE COUNCIL'S S 32 REPORT

[23] As required, we have had regard to the Council's s 32 report ('s 32 Report'/'Report').²⁴ We are satisfied that the Report generally presents a clear analysis of alternatives, and the basis for the choices made.

OUR EVALUATION UNDER S 32AA RMA

Issues raised by submissions

[24] Various issues raised by submitters were resolved through mediation.²⁵ There was a high level of agreement amongst relevant parties on the provisions of the Revised Version. Only the Council and the Crown filed closing submissions.²⁶

[25] As noted in the Council's closing submissions,²⁷ the planning experts for the Council and the Crown were in general agreement about the content of Topic 9.2, with remaining points of

²² Strategic Directions at [63]–[70].

²³ Natural Hazards (Part) (and relevant definitions and associated planning maps), 17 July 2015.

²⁴ OIC, cl 14(1)(a).

²⁵ Record of mediation, 10 December 2015, referencing Topic 9.2 at pages 11–12.

²⁶ Closing submissions for the Council in relation to Topic 9.2, 29 March 2016; Closing submissions for the Crown re Topic 9.2, 21 March 2016.

²⁷ Closing submissions for the Council, 29 March 2016, at 8.1 and n 6; transcript, pages 570 and 652.

disagreement relating primarily to matters of structure and drafting, and how some of the chapters work together. The outstanding issues are addressed below.

[26] Our evaluation starts with broad issues concerning the purpose, geographic scope and substance of what is covered, then considers general issues of structure, before considering specific objectives, policies and rules.

Geographic extent of the overlays and relationship to statutory principles

[27] A fundamental design feature of the Notified and Revised Versions is the use of mapped overlay areas corresponding to different values that are identified concerning landscapes, natural features, and coastal environment natural character values. In their overall design, these overlays (and corresponding objectives, policies and rules) correspond to and reflect various Part 2, RMA principles (and related NZCPS and CRPS directions). This relationship is broadly as follows:

Mapped overlay topic	Primary RMA principle	Acronyms
Areas of Outstanding Natural Character in the Coastal Environment	s 6(a)	ONC
Areas of at least High Natural Character in the Coastal Environment	s 6(a)	HNC
Other areas of Natural Character in the Coastal Environment	s 6(a)	NCCE
Outstanding Natural Feature	s 6(b)	ONF
Outstanding Natural Landscape	s 6(b)	ONL
Rural Amenity Landscape	s 7(c), (f)	RAL
Significant Feature	s 7(c), (f)	SF

[28] The noted statutory principles express a hierarchy of obligations, each subordinate to the overall purpose in s 5 of the RMA.

[29] Unlike s 6(b), the direction in s 6(a) concerning natural character of the coastal environment²⁸ does not include the qualifier ‘outstanding’. However, it still allows for informed judgements to be made by the Council (and the Panel) on relative natural character values (in accordance with NZCPS and CRPS). Hence, it allows for ranking (as is provided

²⁸ Which relevantly requires “...recognise and provide for “the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development”.

for in the Notified and Revised Versions). Such an approach accords with related NZCPS and CRPS directions.

[30] Ranking is also appropriate for natural features and landscapes. The direction in s 6(b)²⁹ applies to those that the Council (or the Panel) determine (in accordance with NZCPS and CRPS) to be ‘outstanding’. Where a natural feature or landscape is recognised as having some significance short of being ‘outstanding’, there is no associated statutory requirement to protect it from ‘inappropriate’³⁰ subdivision, use, and development’. However, it is part of the task of the Council (and the Panel) to have particular regard to ‘amenity values’ and the ‘quality of the environment’ (ss 7(c) and (f)). An aspect of that can be to identify natural features or landscapes whose identified special amenity values or qualities for the community would warrant recognition and some protection.

[31] Finally, the most appropriate regulatory response to the Part 2, RMA principles can call for a weighing of different principles, including considering their interactions. Usually, this does not call for balancing of competing considerations in that full expression can and should be given to all applicable principles.

[32] Determination of the most appropriate outcome often requires careful consideration of the inter-relationships between different principles in light of the evidence. The Panel’s companion Decision 37, on the PKN Zone, demonstrates this. As that decision explains, it concerns relationships between ss 6(a), (b) and (e), 7(a) and 8 of the RMA. By reference to those principles and related NZCPS and CRPS directions, it provides for a more enabling, regulatory regime for the development of Māori Land within identified ONLs and HNCs. However, the context for this decision is different in terms of both relevant NZCPS and CRPS directions and the evidence.

[33] The Council’s landscape expert, Ms Pflüger, explained what underpins the approach of the Notified Version to the topics of natural character of the coastal environment and natural features and landscapes. She explained that the Notified Version largely carries forward the approach of the Existing Plan (particularly the Banks Peninsula District Plan section) which

²⁹ Which relevantly requires “...recognise and provide for “the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development”.

³⁰ What is ‘inappropriate’ is properly determined by reference to the values to be protected: *Environmental Defence Society Incorporated v The New Zealand King Salmon Company Limited* [2014] NZSC 38; [2014] 1 NZLR 593 at [101]–[105].

was soundly underpinned by the Banks Peninsula Landscape Study 2007 ('2007 Study') prepared under directions from the Environment Court.³¹ With some minor amendments to landscape boundaries, the findings of the 2007 Study were accepted by the Environment Court in a decision that incorporated related provisions into the Banks Peninsula District Plan section of the Existing Plan.³²

[34] The Notified Version was also informed by the Christchurch City Landscape Study 2015 and Banks Peninsula Addendum Report 2015. That further analysis used the same methodology as was applied in the 2007 Study. That methodology was soundly informed by relevant statutory principles.³³

[35] As a matter of minor refinement, the Council recommended renaming as 'Rural Amenity Landscapes' (or 'RAL') what the Notified Version termed 'Significant Landscapes'. A number of submitters also sought this change of terminology.³⁴ We agree that the term 'Rural Amenity Landscapes' better reflects the qualities of these rural working landscapes on Banks Peninsula and the western Port Hills.

[36] Given the protections already in place for the Rural chapter, we asked some expert witnesses whether the RAL overlay could be dispensed with.³⁵ Having considered the submissions and evidence, we find the inclusion of the RAL overlay to be appropriate. For natural features and landscapes that do not qualify as 'outstanding' but have recognised amenity values and qualities, the overlay provides a useful reference point for the consideration of those matters.

[37] Ms Pflüger and Ms Ferguson for the Council and Mr Rough for the Crown gave evidence in support of the RAL concept.³⁶ We agree with Ms Ferguson that it is important to acknowledge the history of the RAL label on Banks Peninsula, and that adopting the label on a district-wide basis will ensure there is no inconsistency between the provisions for RMA s 7(c) landscapes.³⁷ No contrary landscape evidence was presented to us.

³¹ Evidence in chief of Yvonne Pflüger, 2 December 2015, at 6.6.

³² *Briggs v Christchurch City Council* [2008] NZEnvC 113, C45/2008 (24 April 2008).

³³ Evidence in chief of Yvonne Pflüger at 6.2.

³⁴ Including Federated Farmers (3702) and Mr McFadden (3249).

³⁵ Transcript, pages 558 and 590.

³⁶ Ms Pflüger explained that during the 2007 mediation process it was agreed that the term RAL more appropriately reflected the landscape present on the Peninsula, and this is the term used in the Existing Plan (evidence in chief of Ms Pflüger at 6.7–6.9 and 10.2).

³⁷ Evidence in chief of Ms Ferguson on behalf of the Council at 6.35–6.38.

[38] None of those matters concerning the Notified Version's underpinnings were challenged by expert evidence (including the evidence of the Crown).³⁸ General agreement was reached between landscape experts at expert conferencing.³⁹ We accept Ms Pflüger's evidence on these matters and find that the Notified Version (and, therefore, the Revised Version) are sound and appropriate in their design of approach to Topic 9.2.

[39] Various submitters, including the Council (3723) and Canterbury Regional Council (3629) requested that the natural character in the coastal environment be shown as a mapped overlay. The Notified Version provided an overlay only for identified ONC and HNC areas. The Council's Revised Version extended this mapping to other identified NCCE areas (generally outside urban areas).⁴⁰ We find that the natural character overlay should be included in the CRDP. In terms of s 32 of the RMA, the overlay is an effective and efficient means of identifying the natural character, and it expressly implements the direction given under Policies 13(1)(b) and 14 of the NZCPS.⁴¹

[40] The evidence of Ms Ferguson and Ms Pflüger for the Council detailed the resolution reached on a number of site-specific submissions seeking amendments to the boundaries of overlays.⁴²

[41] With those revisions, the Council's evidence satisfies us that the Revised Version's overlay maps are the most appropriate in terms of their geographic extent and the purposes they serve in regard to related objectives, policies and rules.⁴³

Issues as to wetlands, and lakes and rivers and their margins

[42] As noted, s 6(a) of the RMA refers to:

the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development

³⁸ Evidence in chief of Peter Rough on behalf of the Crown, 10 December 2015, at 4.2.

³⁹ Evidence in chief of Yvonne Pflüger at 5.5, referring to expert conferencing statements dated 9 November 2015.

⁴⁰ It does not extend to a small pocket of baches in Camp Bay on Banks Peninsula.

⁴¹ Policy 13(1)(b) refers to natural character of all other areas of the coastal environment, and Policy 14 refers to restoration of natural character across all parts of the coastal environment.

⁴² Opening submissions for the Council in relation to Chapter 9, 17 January 2016, at 13.1.

⁴³ At [88]–[94] we deal with submissions by Mr Aitken (5021) and Ms Clinton (2842, 3039).

[43] However, the Notified Version's related ONC, HNC and NCCE overlays are confined to the coastal environment.

[44] In their submissions, the Crown (3721) and the Royal Forest and Bird Protection Society Inc ('Forest & Bird') (3614) sought the inclusion of provisions for the preservation and protection of the natural character of "wetlands, and lakes and rivers and their margins". The Crown's submission sought a full suite of objectives, policies and rules (including to specify matters of discretion for resource consent purposes).

[45] The Council opposed the Crown's position on rules, as necessary analysis to inform the identification and mapping and scheduling of relevant areas had not been done (i.e., by contrast to significant analysis underpinning the landscape provisions, noted earlier in this decision). Following mediation, the parties modified their positions. The Council accepted that a policy framework should be added for wetlands, and lakes and rivers and their margins. It accepted the Crown's submission that objectives and policies should be included for these matters in Chapter 9. The Crown no longer sought the inclusion of rules in respect of the natural character of wetlands, and lakes and rivers and their margins.

[46] A new Objective 9.2.1.3 and new Policies 9.2.2.5.3 and 9.2.2.5.4 were proposed in the Revised Version.

[47] As with s 6(a) of the RMA, Strategic Directions Objective 3.3.9(b)(ii) refers to "the natural character of the coastal environment, wetlands, lakes and rivers, springs/puna, lagoons/hapua, and their margins". However, we are satisfied that the approach of the Revised Version does not need to be modified by the addition of associated rules. In part, that is because a number of rivers are classified as SF (including the Avon and Heathcote) and rules are associated with those classifications. In addition, a number of relevant rules are included in the Chapter 18 Open Space (the subject of Decision 35). Other rules are proposed to be included in Chapter 6 General Rules, although our decision is not dependent on this.

[48] On the matter of wetlands, lakes and rivers and their margins, the evidence satisfies us that the Revised Version is a sufficient and appropriate response to the related statutory principles, and Higher Order Documents and for achieving related Strategic Directions Objective 3.3.9(b)(ii). On the same basis, we are satisfied that, having regard to costs and

benefits, further rules are unwarranted and inappropriate at this time. Therefore, we have carried forward this approach into the Decision Version, albeit with some different numbering and other minor drafting refinements.⁴⁴

Issues as to structure and drafting style including as to matters in RMA s 6(a) and (b)

[49] The Crown sought that the Notified Version be substantially restructured (including by use of appendices) and a re-drafting of several of its provisions. Related to this overall concern, it submitted that provisions dealing with natural character should be fully separated from those dealing with natural features and landscapes.⁴⁵ Part of that submission derived from the fact that s 6(a) of the RMA deals with natural character matters, whereas s 6(b) deals with outstanding natural features and landscapes. In the Crown’s view, maintaining a similar pattern of separation in the provisions would improve clarity and ease of use. The Crown’s planning witness, Ms Cameron, explained why she considered the drafting unduly complex and inconsistent with the Higher Order Documents.⁴⁶

[50] The Council acknowledged that the OIC Statement of Expectations required “that the replacement district plan ... uses clear, concise language and is easy to use”.⁴⁷ It included significant structural and drafting changes in its Revised Version. However, it did not consider the extent of change sought by the Crown warranted, in terms of ensuring the provisions were sufficiently usable and clear.

[51] On the matter of how the provisions deal with matters concerning natural character and outstanding natural features and landscapes, we do not agree with the Crown that there is any need to keep these s 6(a) and (b) matters similarly distinct.

[52] While natural character and outstanding natural features and landscapes are identified as separate considerations under s 6(a) and (b) of the RMA respectively, there is no statutory requirement for each of those considerations to be addressed in separate provisions in a district plan. Self-evidently, the same ‘landscape’ or feature can have dimensions of ‘natural character’, whether or not it is ‘outstanding’. Words, hence laws, do not define the world.

⁴⁴ See Objective 9.2.2.4 and Policies 9.2.2.13 and 9.2.2.14 in the Decision Version.

⁴⁵ Submission 3721, Appendix 3.

⁴⁶ Evidence in chief of Anna Cameron on behalf of the Crown, 10 December 2015, at 13.5(d).

⁴⁷ OIC, Schedule 4 (i).

[53] Nor is such a drafting approach required to give effect to the NZCPS. Its Objective 2 is directed at preserving the natural character of the coastal environment and protecting natural features and landscape values, combining the issues. Its Policies 13 and 14 respectively deal with the preservation and restoration of natural character, while its Policy 15 deals with the protection of natural features and landscapes. However, nothing in those provisions or elsewhere in the NZCPS dictates what the Crown has sought in drafting terms.

[54] We are satisfied that the Decision Version, in substance, recognises the proper distinctions between (and common dimensions of) natural character, and outstanding natural features and landscapes. We consider it would be impracticable and unnecessary, and lead to unhelpful duplication, to attempt to achieve full or greater distinction in these topics.

[55] The Crown's concerns regarding the structure and lack of drafting clarity in the Topic 9.2 provisions went further than simply the topics of natural character, and outstanding natural features and landscapes, and RMA s 6(a) and (b).⁴⁸

[56] To a significant extent, we share the Crown's concerns. Specifically, we agree with the Crown that greater clarity can be achieved through the use of appendices.⁴⁹ While we do not necessarily agree with other drafting solutions recommended by the Crown, we make reasonably substantial further structural and drafting changes to the Revised Version to ensure better clarity and usability. However, we have found ourselves able to go only so far in doing so.

[57] One limitation is that Topic 9.2 (as well as in other Chapter 9 topics) stands somewhat apart from other CRDP topics. That is in the sense that it serves to respond to ss 6–8 of the RMA and related NZCPS and CRPS directions. In substance, those directions apply to the Council (and the Panel). In essence, they concern choices to be made, for and on behalf of the community, concerning the interface between protection, use and development. That is particularly as to natural character preservation and protection and outstanding natural landscapes and features protection for the purposes of s 6(a) and (b) of the RMA.

⁴⁸ Closing submissions for the Crown at 2.3–2.6.

⁴⁹ Closing submissions for the Crown, 21 March 2016, at 2.1(c).

[58] Those choices involve a requirement by the statutory functionary to exercise judgements, properly informed by expert opinion and in due accordance with the directions given by those statutory principles and Higher Order Documents.

[59] Sound expert assessment is particularly important as an underpinning for the judgements required under s 6(a) and (b) of the RMA. We have already referred to the 2007 Study and other analysis underpinning the Banks Peninsula District Plan section of the Existing Plan and the further s 32 evaluations for the Notified Version. That work is the primary underpinning for what we adjudge concerning the relevant locations and values as to ‘natural character’, and outstanding natural features and landscapes. Giving proper expression to these matters inevitably gives rise to added detail and prescription, but for the very important resource management purpose that the CRDP is intended to serve, in the making of choices and reducing unnecessary uncertainty and cost in consenting processes.

[60] A further limiter on our capacity to improving the clarity, simplicity and navigability of the provisions is a process and resourcing one. Primarily, what we have to work with, as an expert Panel, are the Notified and Revised Versions and related submissions and evidence. The Panel was hampered in its ability to fully meet the Statement of Expectations. This came from flaws in the Notified and Revised Versions. The Panel lacked the resources that would have allowed it to do the full rewrite required.

[61] The changes we have made to the Revised Version seek to improve its clarity and consistency, subject to the limitations we have described. In a relative sense, we find the Decision Version appropriately responds to the OIC Statement of Expectations and achieves Strategic Directions Objective 3.3.2(c). By those same measures, we find the further restructuring and redrafting of the rules sought by the Crown unwarranted and inappropriate. In essence, we find we have gone as far as we should in addressing these matters. However, we recognise that the provisions of the Decision Version, while an improvement on the Revised Version, is still significantly more complex and difficult to navigate than other CRDP provisions the subject of our earlier decisions.

New Introduction section

[62] The Decision Version includes a new Introduction section. The provision is included to ensure better consistency across the CRDP (rather than in response to any specific relief sought by any submitter).

[63] The Panel has noted a degree of inconsistency in the CRDP in the fact that some proposals have introductions, and others do not. We consider introductions have an important role for the lay reader seeking to navigate the CRDP. Therefore, we intend to provide for them across all chapters, but subject to the inclusion of the following statement:

This Introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.

[64] The Panel considers it important that the Introduction remind the reader of particular CRDP chapters of the pre-eminence of the Strategic Directions, for the reasons stated at [148] of Decision 1. Therefore, we have included in the Introduction the following:

The provisions in this chapter give effect to the Chapter 3 Strategic Directions Objectives.

Restructuring and redrafting of ‘Objective 9.2.1’

[65] We find that Objective 9.2.1 of the Revised Version is unduly cluttered and complex. To address this, we have:

- (a) Added a new appendix listing ONCs, HNCs, NCCEs, ONFs, ONLs and RALs and their qualities; and
- (b) Replaced Objective 9.2.1 with four objectives, linking to the appendix —
 - (i) 9.2.2.1 and 9.2.2.2 on ONFs and ONLs (as to protection); and
 - (ii) 9.2.1.2 on SFs and RALs (as to maintenance).

[66] We have drafted these provisions on the basis that the appendices described relevant qualities on an exclusive basis. That is because we intend to avoid having these matters open to be supplemented by evidence in resource consent processes from time to time. We consider

the more appropriate method for supplementing these matters (and/or changing the overlays) is a future plan change. The approach we have taken is consistent with the Notified Version. It overcomes an inconsistency on this matter with the Revised Version. We find our approach gives better effect to the CRPS and is more appropriate in terms of considerations of certainty, as emphasised in the OIC Statement of Expectations. It also better achieves Strategic Objective 3.3.2. On this matter, therefore, we have not accepted the submission of Canterbury Regional Council.

Whether objective and policies on significant features and landscapes say ‘enhance’

[67] In the Notified Version, proposed Objective 9.2.1.2 (Significant features and landscapes) and Policies 9.2.2.3 (Significant features) and 9.2.2.4 (Significant landscapes)⁵⁰ included the word ‘enhance’. That had the effect of requiring that significant features and landscapes be both maintained and enhanced.

[68] The Crown argued that the word ‘enhance’ should remain in the objective and policies but be qualified by the words ‘where practicable’. It submitted that this would better accord with the s 7(c) RMA directive to have particular regard to the maintenance and enhancement of amenity values, and with the s 7(f) RMA directive to have particular regard to the maintenance and enhancement of the quality of the environment.

[69] Submitters such as Carter Group Limited (3602) and the Tapper Family Trust (3284) opposed use of the word ‘enhance’. In response to those submissions, the Council recommended that the word be deleted as unduly onerous and that it was sufficient that the direction be simply that the qualities of significant landscape and features be ‘maintained’.

[70] On our evaluation of the evidence, we find the Crown’s position is inappropriate in terms of cost, benefits and risks. The Crown’s planner, Ms Cameron, accepted under cross-examination that the Crown’s approach would place an added obligation on a landowner to show that it is not practicable to enhance the features at issue in any given case.⁵¹ We agree with the Council’s planning evidence that there would be considerable difficulty in identifying methods that implement a policy requiring enhancement,⁵² as it is not clear how landowners

⁵⁰ As noted at [27], the equivalent concepts are termed SF and RAL.

⁵¹ Transcript, page 651.

⁵² Evidence in chief of Shirley Ferguson on behalf of the Council, 2 December 2015, at 6.55.

would be required to ‘enhance’ the landscape values of a particular landscape. On the evidence, we find it unnecessary and unreasonable to put landowners in such a position. Further, we find what the Crown seeks on this is impracticable and would be a source of unwarranted process cost and uncertainty, contrary to the OIC Statement of Expectations.

[71] Given those evidential findings, we also reject the Crown’s submissions on Part 2 of the RMA. Section 7 of the RMA requires that “particular regard” shall be had to the maintenance and enhancement of amenity values (s 7(c)) and the maintenance and enhancement of the quality of the environment (s 7(f)). However, there is no directive in s 7 to “recognise and provide for” such matters, as is set out in s 6 of the RMA.

[72] Therefore, we agree with the Council and the noted submitters, and disagree with the Crown on this matter.

New Policy 9.2.2.7 as to identification through plan change

[73] We have added new Policy 9.2.2.7 to give clear expression to an intended approach whereby any further identification of ONFs and ONLs is to be by future plan change (for change to the relevant appendix), rather than being left to advocacy on a consent by consent basis. On the evidence (particularly of Ms Pflüger and Ms Ferguson), we find this best gives expression to s 6, and related NZCPS and CRPS directions, and best responds to the OIC Statement of Expectations as to certainty and clarity. In essence, it reflects the importance of these matters being approached as community choices, by the Council as relevant statutory functionary, through the instrument of the CRDP.

Merging and restructuring of proposed Policies 9.2.2.5.2 a. and b.

[74] We have merged and restructured these policies. We find that clearer direction is given by a single policy, new Policy 9.2.2.11. We confine Appendix 9.2.9.1 to ONCs and HNCs, reflecting the intention to accord them relatively greater protection. Mapping is sufficient for the other overlays.

Deletion of proposed Policy 9.2.2.7

[75] Proposed Policy 9.2.2.7 specifies various expected outcomes in relation to its listed activities (i.e. ‘buildings’, ‘residential activities’, ‘earthworks, access tracks and new roads’, ‘plantation forestry’, ‘quarrying’, and ‘strategic infrastructure, utilities and natural hazard mitigation works’). We have decided to delete this proposed policy of the Revised Version for a combination of reasons.

[76] In its prescriptive style, the proposed policy is expressed in the nature of a rule and intrudes into what is already covered by rules on activity standards and matters of discretion. We find that would be a source of ongoing confusion in the administration of the CRDP. Related to that concern, several of the provisions of this proposed policy are unhelpfully rigid. For example, the policy uses the word ‘avoid’ in several instances where avoiding the specified outcome would likely preclude consent entirely. Even where the policy would apply to a non-complying activity, we find that inappropriate. By way of example, the construction of a new road could involve a necessary period of transition from ‘visual scarring’ to effective mitigation once mitigation measures take effect. Yet, the proposed policy refers to ‘avoid’ ‘visual scarring of the landscape’ for ‘earthworks, access tracks and new roads’. In any case, we are satisfied that the various themes expressed in this proposed policy are sufficiently covered by other policies. We are satisfied that they provide sufficient focus to ensure due attention is given to relevant matters to ensure related protection objectives are achieved.

Other restructuring and revisions to policies under ‘9.2.2’

[77] We find that several of the policies under Topic 9.2 of the Revised Version were unhelpfully cluttered and complex. Therefore, we have significantly restructured and simplified them in the Decision Version. In particular, that is the case for Policy 9.2.2.1 (retitled ‘Recognising and protecting the qualities of outstanding natural features’ and renumbered as 9.2.2.5) and the policies dealing with outstanding natural landscapes (now 9.2.2.6), significant features (now 9.2.2.8) and rural amenity landscapes (now 9.2.2.9).

[78] In particular, we have noted the frequent, and sometimes inconsistent, use of the phrase ‘subdivision, use and development’. In terms of its ordinary meaning, ‘development’ has a different scale of meaning than the terms ‘use’ or ‘activity’. That scaling is also evident in the use of the phrase ‘subdivision, use and development’ in Part 2 of the RMA (particularly ss 5

and 6). In terms of scale, ‘activity’ and ‘use’ are often applied interchangeably, and reflect a finer grain or smaller scale than ‘development’. According to that approach, we have made some adjustments to expression to better ensure the policies reflect the scale intended. For example, where sensitivities are higher (e.g. ONLs, ONCs, HNCs), we find the more appropriate phrase is ‘subdivision, use and development’. In contexts of lesser sensitivity, ‘development’ may be more appropriate than ‘activity’, in that it does not impose restriction at too fine a grain.

[79] We have made a number of other changes to the structure and/or wording of various policies to improve their clarity and consistency, as intended by the OIC Statement of Expectations. By way of example, in the cumulative effects policy (now 9.2.2.14), we have made it clearer that an assessment of cumulative effects is required.

Activity status tables

[80] Activity status tables are a central feature of the design of the Revised Version (similar to the Notified Version), for the purpose of regulation of activities within the various Topic 9.2 overlays (i.e. ONC, HNC, NCCE ONF, ONL, RAL, SF). Primarily, their purpose is to classify or re-classify specified activities within those overlays (i.e. as permitted, restricted discretionary, discretionary and non-complying activities). However, they also have a reasonably complex relationship to rules within the various CRDP zones (primarily the Rural and Open Space zones) to which the Topic 9.2 overlays apply and to other general rules of the CRDP. One such complexity is in the fact that the activity classifications are assigned subject to compliance with standards specified elsewhere in the CRDP. Another is in the fact that, for several listed activities, the intention is to keep the activity classification of relevant zones unchanged, but to modify the regulatory position, such as by the addition of further assessment matters for consenting purposes.

[81] The Crown submitted, and we agree, that the tables are difficult to navigate and understand. We consider the design of approach in both the Notified and Revised Versions less than ideal, in terms of their complexity and unfriendliness to the Plan reader. In particular, that is in the tables’ complex reclassifications of activities, and their interface with various zones and related rules. However, much like setting concrete, we find we are unable to fundamentally alter this fundamental aspect of the design of the Notified and Revised Versions.

To do so would involve going significantly beyond the assistance we received in evidence. In essence, the procedural and resourcing limits of our processes, as we observe at [58], have constrained our ability to achieve a far simpler and more navigable outcome.

[82] We have decided to rationalise some variances in activity specific standards where we find the cost and uncertainty of those variances unjustified on the evidence. On the first of those matters, we have provided a single 100m² limit for various classes of building in place of the 20m² standard specified in the Revised Version for some building categories, such as those for specified ‘public amenities’. Similarly, we have provided for a single 5m width standard for new access tracks (whereas the Revised Version specified only 3m width for some overlay areas). To the extent that this rationalisation differs from relief sought by some submitters (including as resolved in specific mediations), we find the simpler, more navigable set of tables better accords with the OIC Statement of Expectations and, on the evidence, does not materially impact on achieving the related objectives and policies. Therefore, in a relative sense, we are satisfied that this rationalisation better achieves Strategic Directions Objective 3.3.2 and the Topic 9.2 objectives of the Decision Version.

[83] In addition, we change two related aspects of the activity status tables of the Revised Version, concerning an introductory rule (a), which read:

The activities listed below ... have the activity status listed within each feature and landscape overlay area, and are subject to compliance with any standards specified in the Plan for that activity.

[84] In combination with the inclusion in the tables of the unexplained notation ‘n/a’, the introductory rule could have been taken to mean that everything listed ‘n/a’ had no activity status and, hence, was not subject to compliance with any standards. We understand the true intention is that, for those activities, the activity status that applies in the relevant zone or under the general rules of the CRDP is what applies. Therefore, we have rectified this.

[85] We find that, with these changes, the activity status tables satisfactorily respond to the Higher Order Documents. In the absence of being able to further improve on them, we find that they are most appropriate for achieving related CRDP objectives.

Definitions of ‘landscape’, ‘naturalness’ and ‘sites of Ngāi Tahu cultural significance’

[86] We find unnecessary the definitions of ‘landscape’ and ‘naturalness’ proposed by the Council’s Revised Version. There is sufficient definition of those matters in the overlay maps and schedules. We defer consideration of the Council’s proposed definitions of ‘sites of Ngāi Tahu cultural significance’ until the determination of Topic 9.5.

Consequential changes to Chapters 7 (Transport) and 18 (Open Space)

[87] Under OIC cl 13(5) we have made consequential changes to restricted discretionary activity Rule 18.5.2.3 (to ensure the Council’s discretion is sufficient to encompass relevant Chapter 9 matters). We have also made a consequential change to Chapter 7 (Transport) as sought by the Revised Version.

Mapping and other issues raised by Mr Aitken (5021) and Ms Clinton (2842, 3039)

[88] Mr Edward Aitken sought to have the boundary line of the coastal environment redrawn to exclude Holmes Bay and Pigeon Bay, which are partly within his property, and to have areas of NCCE classification removed from his property. That issue pertains to the Chapter 19 Coastal Environment proposal (on which Mr Aitken was heard) rather than Chapter 9 per se.⁵³

[89] Following discussions with Mr Aitken (and input from Ms Pflüger), the Council (in its closing submissions) proposed a slight amendment to the boundary line of the coastal environment and the removal of a small part of the NCCE from Mr Aitken’s property. On the basis of Ms Pflüger’s assessment,⁵⁴ we are satisfied that these slight mapping changes are appropriate and give effect to Policy 1 of the NZCPS. That policy recognises that the extent of the coastal environment may vary from locality to locality. No landscape evidence was presented to us in this hearing supporting the making of any further changes to the placement of the coastal environment line or the NCCE area in relation to Mr Aitken’s property.

[90] Under the Notified Plan, Ms Kathleen Clinton’s property at 315 Port Hills Road was subject to a relatively unique constraint, due to the combined effect of its various zonings and

⁵³ Chapter 19: Coastal Environment and Stage 2 Residential Bach Zone Transcript, pages 72–73. The coastal environment is dealt with as part of the Coastal Environment Proposal (Chapter 19).

⁵⁴ This is contained in Attachment 3 to Ms Ferguson’s evidence in chief for the Coastal Environment Proposal.

overlays. Her property has a split zoning, being part Residential Port Hills and part Rural Port Hills. In addition to being within the ONL under the Notified Version, her property is within various Natural Hazard overlays (i.e. Rock Fall Management Areas 1 and 2 and Port Hills and Banks Peninsula Slope Instability Management Area).

[91] The combined effect was to significantly restrict Ms Clinton’s ability to use the property, in particular to construct a second dwelling on it.

[92] In light of this, we directed that the Council further engage with Ms Clinton to see if an appropriate agreement could be reached in respect of matters raised in her submission.⁵⁵ Following a site visit and subsequent discussions between the Council and Ms Clinton, we were advised that agreement had been reached, as set out in a joint memorandum lodged with the Panel.⁵⁶

[93] The agreement did not seek any change to the placement of the ONL or Natural Hazard overlays. Rather, the Council and Ms Clinton agreed to change the Residential and Rural Zone boundaries (to achieve a more practical zoning regime for her property), and to seek additional site-specific restricted discretionary activity rules to allow for resource consent to be sought for an additional dwelling on her property. One rule to this effect would be included in Chapter 9 (Rule 9.2.3.2 Landscape Overlay Rules), and a related rule included in Chapter 17 Rural (Rule 17.5.2.3).

[94] This has been addressed, to some extent, in the Panel’s Decision 34 concerning Chapter 17 Rural. On remaining matters, we find that the parties’ proposed solution is an appropriate means of resolving the zoning restrictions otherwise applicable to Ms Clinton’s property, and have made provision for this in the Decision Version.

Various non-contentious matters

[95] Section 32AA(1) specifies that a “further evaluation required under this Act ... is required only for any changes that have been made to, or are proposed for, the proposal since

⁵⁵ Transcript, page 847.

⁵⁶ Joint memorandum on behalf of the Council and Kathleen Clinton regarding agreement on submissions 2842 and 3039, 18 March 2016.

the evaluation report for the proposal was completed”.⁵⁷ It also specifies that the further evaluation “must ... be undertaken at a level of detail that corresponds to the scale and significance of the changes”.⁵⁸

[96] In several non-contentious aspects, we are satisfied that the Revised Version properly accords with the RMA requirements, and is generally sound and appropriate. Subject to some minor refinements to ensure consistency with the approach of the Panel’s other decisions and otherwise improve drafting clarity, the Decision Version confirms the approach of the Revised Version as the most appropriate.

CONCLUSION

[97] Based on our findings, we are satisfied that the Decision Version, as amended from the Revised Version, gives effect to the RMA and properly responds to the Higher Order Documents.

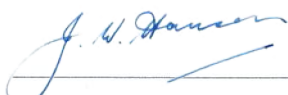
[98] We direct:

- (a) the Council include in the CRDP, together with the Decision Version, the updated overlay maps that were attached to the Council’s closing submissions (with footers and other formatting corrected to comply with CRDP formatting);
- (b) any party seeking minor correction(s) to this decision must file a memorandum for these purposes by **4 p.m., Wednesday 7 September 2016**.

⁵⁷ RMA, s 32AA(1)(a).

⁵⁸ RMA, s 32AA(1)(c).

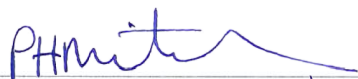
For the Hearings Panel:



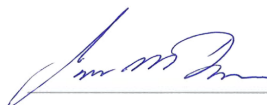
Hon Sir John Hansen
Chair



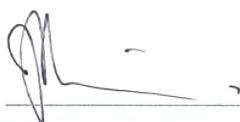
Environment Judge John Hassan
Deputy Chair



Dr Phil Mitchell
Panel Member



Ms Sarah Dawson
Panel Member



Ms Jane Huria
Panel Member

SCHEDULE 1

Changes that our decision makes to the following proposals:

Chapter 9 — Natural and Cultural Heritage

Chapter 7 — Transport

Chapter 18 — Open Space

9.2 Landscapes and Natural Character

9.2.1 Introduction

This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.

This sub-chapter relates to the management of the district's outstanding natural features and landscapes, significant features, rural amenity landscapes, and the natural character of the coastal environment, wetlands, and lakes and rivers and their margins. The highly-valued features and landscapes of the district are identified in a series of schedules appended to this sub-chapter and shown on the planning maps.

The objectives, policies, rules, standards and matters of discretion in this sub-chapter are intended to provide for the protection of outstanding natural features and landscapes, the maintenance of significant features and rural amenity landscapes, and the preservation of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins.

The provisions in this chapter give effect to the Chapter 3 Strategic Directions Objectives.

9.2.2 Objectives and policies

9.2.2.1 Objective - Outstanding natural features

- a. The outstanding natural features of the district that are listed in Appendix 9.2.9.1 are protected.

9.2.2.2 Objective - Outstanding natural landscapes

- a. The outstanding natural landscapes of the district that are listed in Appendix 9.2.9.1 are protected.

9.2.2.3 Objective - Significant features and rural amenity landscapes

- a. The significant features of the district that are listed in Appendix 9.2.9.1 are maintained.
- b. The rural amenity landscapes of the district that are listed in Appendix 9.2.9.1 are maintained.

9.2.2.4 Objective - Natural character

- a. The natural character of the district's coastal environment, wetlands, and lakes and rivers and their margins is preserved.

9.2.2.5 Policy – Recognising and protecting the qualities of outstanding natural features

- a. Recognise the qualities of the identified outstanding natural features described in Appendix 9.2.9.1 and protect them from inappropriate subdivision, use and development by:
 - i. avoiding use and development that detracts from extensive open views, or detracts from or damages the unique landforms and landscape features;
 - ii. recognising and providing protection for Ngāi Tahu values in locations of special significance to tāngata whenua;
 - iii. promoting restoration and ecological enhancement initiatives, including through the design of ecological protection measures;
 - iv. within Pūtarikamotu / Riccarton Bush:
 - A. restricting new buildings and fencing; and
 - B. ensuring use and development is managed to retain the intactness, diversity and distinctiveness of the Bush, surrounding park setting and features.

9.2.2.6 Policy – Recognising and protecting the qualities of outstanding natural landscapes

- a. Recognise the qualities of the identified outstanding natural landscapes described in Appendix 9.2.9.1 and protect them from inappropriate subdivision, use and development by: avoiding use and development that breaks the skyline, including the crater rim, ridgelines on Banks Peninsula and the radial spurs of the Port Hills;
 - i. avoiding subdivision, use and development in those parts of outstanding natural landscapes with little or no capacity to absorb change, and allowing limited subdivision, use and development in those areas with higher potential to absorb change;
 - ii. recognising and providing protection for Ngāi Tahu values in locations of special significance to tāngata whenua; and
 - iii. recognising the existence of working farms and their contribution to the openness of outstanding natural landscapes.

9.2.2.7 Policy – Identifying outstanding natural features and landscapes

- a. Only identify other natural features or landscapes as being outstanding by amending Appendix 9.2.9.1 from time to time, via plan change, following assessment.

9.2.2.8 Policy – Recognising and maintaining the qualities of significant features

- a. Recognise the qualities of the identified significant features described in Appendix 9.2.9.1 and maintain them by:
 - i. restricting visually prominent uses and development;

- ii. limiting urban encroachment, particularly on waterway corridors;
- iii. recognising Ngāi Tahu values, particularly in relation to mahinga kai, and avoiding disturbance to known pā sites and urupā;
- iv. promoting restoration and ecological enhancement initiatives, including appropriately designed ecological protection measures;
- v. ensuring activities are carried out in a way that maintains or enhances water quality;
- vi. within West Melton Dry Plains / Ōkakea:
 - A. avoiding development in the areas where the former braids of the Waimakariri River are legible, and within the kōwhai savannah grasslands;
 - B. enabling extensive pastoral farming activities, while managing more intensive farming activities that would lead to a loss of legibility;
 - C. recognising the presence of sites of Ngāi Tahu cultural significance in the grasslands area;
 - D. avoiding the removal of remnant kowhai and limiting the removal of all other indigenous vegetation;
 - E. ensuring activities are carried out in a way that maintains or enhances ground water quality; and
 - F. minimising the risk of fire damage.
- vii. within Christchurch Coast / Te Tai o Mahaanui, avoiding use and development which would adversely affect the natural landform characteristics of the sand dunes; and
- viii. within Ōtākaro /Avon River, ensuring that buildings and structures connected with recovery proposals in the Flat Land Recovery Zone are designed to recognise, maintain and enhance as far as practicable the qualities of the landscape feature.

9.2.2.9 Policy – Recognising and maintaining the qualities of rural amenity landscapes

- a. Recognise the qualities of the identified rural amenity landscapes described in Appendix 9.2.9.1 and maintain them by:
 - i. avoiding use and development that breaks the skyline, including the crater rim, ridgelines on Banks Peninsula and radial spurs of the Port Hills;
 - ii. avoiding visually prominent development;
 - iii. ensuring subdivision, use and development does not result in over domestication of the landscape;
 - iv. requiring development to be separated from identified important ridgelines on Banks Peninsula, taking into account visual separation and horizontal and vertical separation; and
 - v. enabling farming, conservation and recreation activities which contribute to rural landscape character of Banks Peninsula.

9.2.2.10 Policy — Recognition of natural character

- a. Recognise that the following natural elements, patterns, processes and experiential qualities contribute to natural character:
 - i. areas or waterbodies in their natural states or close to their natural state;
 - ii. coastal or freshwater landforms and landscapes;
 - iii. coastal or freshwater physical processes, including the movement of water and sediment;
 - iv. biodiversity;
 - v. biological processes and patterns;
 - vi. water flows and levels, and water quality; and
 - vii. the experience of the above elements, patterns and processes.

9.2.2.11 Policy – Recognising and preserving the natural character qualities of the coastal environment

- a. Recognise and preserve the natural character qualities of areas within the coastal environment that have:
 - i. outstanding natural character as described in Appendix 9.2.9.1;
 - ii. high (and very high) natural character as described in Appendix 9.2.9.1; and
 - iii. other areas with natural character;

and protect those qualities from inappropriate subdivision, use and development by:

 - iv. managing the adverse effects of subdivision, use and development;
 - v. avoiding significant adverse effects of subdivision, use and development;
 - vi. avoiding subdivision, use and development within areas of outstanding natural character, where it would damage, diminish or compromise natural character;
 - vii. recognising and providing protection for Ngāi Tahu values in locations of special significance to tāngata whenua;
 - viii. recognising historic farming operations that continue today;
 - ix. concentrating development within existing settlements to avoid development sprawling along the coastline;
 - x. avoiding development in areas of high natural character, except that where development cannot be practicably located outside of an area of high natural character, remedying or mitigating any adverse effects as far as practicable;
 - xi. avoiding activities that damages the stability of the coastal dune systems;
 - xii. requiring appropriate setbacks for use and development from riparian and coastal margins;

- xiii. ensuring development is not readily visible from public places and frequently visited viewpoints;
- xiv. promoting the use of post and wire fencing, and predator proof fencing; and
- xv. ensuring activities are carried out in a way that maintains or enhances water quality in the coastal environment.

9.2.2.12 Policy - Natural character of wetlands, and lakes and rivers and their margins

- a. Recognise and preserve the natural character qualities of wetlands, and lakes and rivers and their margins and their protection from inappropriate subdivision, use and development by:
 - i. ensuring that location, intensity, scale and form of subdivision, use and development is appropriate;
 - ii. minimising, to the extent practicable, indigenous vegetation clearance and modification (including earthworks, disturbance and structures);
 - iii. encouraging any new activities to consolidate within, and around, existing developments or where the natural character and landscape values have already been compromised to avoid development sprawling;
 - iv. requiring appropriate setbacks of activities from those margins; and
 - v. ensuring development is not readily visible from public places and frequently visited viewpoints.

9.2.2.13 Policy - Cumulative effects on natural character

- a. Assessments of effects on the natural character of the coastal environment, wetlands, and lakes and rivers and their margins shall include an assessment of the cumulative effects of:
 - i. allowing more of the same activity;
 - ii. allowing more of a particular effect, whether from the same activities or from other activities causing the same or similar effect; and
 - iii. all activities in the coastal or freshwater environment at the site.

9.2.2.14 Policy - Restoration of natural character

- a. Promote opportunities to restore and rehabilitate natural character, such as through the removal of plant and animal pests, and supporting initiatives for regeneration of indigenous vegetation.

9.2.2.15 Policy - Education and assistance

- a. Use education to improve the community's awareness and understanding of the qualities of outstanding natural features and landscapes, significant features and rural amenity landscapes, and the natural character of the coastal environment, wetlands, and lakes and rivers and their margins.

- b. Provide advice and guidelines to landowners to assist in the protection of outstanding natural features and landscapes, the maintenance of significant features and rural amenity landscapes, and the preservation and restoration of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins.

9.2.2.16 Policy - Other methods

- a. Recognise the effectiveness of other mechanisms such as covenants and conservation trusts in protecting the qualities of outstanding natural features and landscapes, the maintenance of significant features and rural amenity landscapes, and the preservation and restoration of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins.

9.2.2.17 Policy - Ngāi Tahu customary use

- a. Recognise and provide for Ngāi Tahu customary uses of natural resources, including land, water and other natural resources as an integral part of areas identified in the Plan as outstanding natural features and landscapes, significant features and rural amenity landscapes, and areas of natural character in the coastal environment.

9.2.2.18 Integrated management of the Summit Road Protection Act area

- a. To enable and provide for the integrated management of the Summit Road Protection Act area and the adjoining public open spaces and parks along the summit of the Port Hills between Evans and Gebbies Pass, and the protection and enhancement of the landscape qualities, recreation, rural tourism and cultural heritage values of the area.

9.2.3 How to interpret and apply the rules

- a. The rules in this sub-chapter apply to the following landscape and natural character overlay areas:
 - i. outstanding natural features;
 - ii. outstanding natural landscapes;
 - iii. significant features (other than SF8.2 Otakaro/Avon River in the Central City);
 - iv. rural amenity landscapes (other than RAL1.0 Banks Peninsula with rural zoning);
 - v. natural character in the coastal environment;
 - vi. high natural character areas in the coastal environment; and
 - vii. outstanding natural character areas in the coastal environment.

Except that for sub-chapter 9.2, the application of rules for Māori Land in the Papakāinga/Kāinga Nohoanga Zone is set out in Chapter 4.

- b. The overlay areas are shown on the planning maps and listed within the schedules and reference maps in Appendix 9.2.9.2. The planning maps show the land parcels which contain

overlay areas and a unique identifier. The schedules are ordered by the unique identifier number and contain a name, description by character area, and location. The schedules also provide a cross-reference to the relevant planning maps.

- c. Specific activities are subject to rules contained in:
 - i. Rule 9.2.4 Rules - Landscape overlays - outstanding natural features and landscapes;
 - ii. Rule 9.2.5 Rules - Landscape overlays - significant features and rural amenity landscapes (other than RAL 1.0 Banks Peninsula with a rural zoning);
 - iii. Rule 9.2.6 Rules - Overlays for areas of natural character in the coastal environment; and
 - iv. Rule 9.2.7 Rules - Built form standards

Except that for sub-chapter 9.2, the application of rules for Māori Land in the Papakāinga/Kāinga Nohoanga Zone is set out in Chapter 4.

- d. Activities covered by the rules in this sub-chapter are also subject to the rules in the relevant zone chapters. The activity status tables, rules and standards in the following chapters also apply:
 - 5 Natural Hazards;
 - 6 General Rules and Procedures;
 - 7 Transport;
 - 8 Subdivision, Development and Earthworks;
 - 9 The other sub-chapters of Natural and Cultural Heritage;
 - 11 Utilities and Energy; and
 - 12 Hazardous Substances and Contaminated Land.
- e. The rural amenity landscape RAL1.0 Banks Peninsula covers the majority of Banks Peninsula, outside the settlements and those areas identified as outstanding natural features and landscapes. Where RAL1.0 has an underlying Rural Banks Peninsula zoning, the rural amenity landscape rules are contained within Chapter 17 Rural.
- f. Chapter 7 Transport provides for the maintenance of transport infrastructure in the Transport Zone as a permitted activity (Rule 7.2.5.1 P1). Only new roads have an activity status listed in the rules in this sub-chapter.
- g. The rules that relate to utilities in the landscape and natural character overlay areas can be found in Chapter 11 Utilities and Energy. The rules in sub-chapter 9.2 do not apply to utilities.
- h. The rules that relate to activities on Māori Land in the Papakāinga/Kāinga Nohoanga Zone can be found in Chapter 4.
- i. In the Central City, rules to manage effects on SF8.2 Ōtākaro / Avon River are contained in the Avon River Precinct Zone / Te Papa Ōtākaro in Chapter 18.

Advice Note

1. Summit Road (Canterbury) Protection Act 2001 — Any development on land above Summit Road and within 30m vertically below Summit Road and Dyers Pass Road (refer to Summit Road (Canterbury) Protection Act and Gazette Notice) may be affected by the provisions of the Summit Road (Canterbury) Protection Act 2001). You are advised to contact the Summit Road Protection Authority for more information. The extent of the subject area is shown on the planning maps.

9.2.4 Rules - Landscape overlays - outstanding natural features and landscapes

9.2.4.1 Activity status table

The activities listed in Table 1 below have the activity status listed within each feature and landscape overlay area (as shown on the planning maps and listed in the schedules of outstanding natural features and outstanding natural landscapes in Appendix 9.2.9.2). Any building listed as a permitted activity in Table 1 shall meet the built form standards in Rule 9.2.7. The activities are also subject to compliance with any activity status, rules and standards specified elsewhere in the Plan for that activity.

Table 1: Rules - Landscape overlays - outstanding natural features and landscapes

Activities		ONF 31.0 Kaitorete Spit 31.2 Te Waihora/Lake Ellesmere Wairewa/Lake Forsyth	ONF 32.0 Brooklands Lagoon and Spit/Te Riu o Te Aika Kawa 36.0 Te Ihutai/Avon- Heathcote Estuary 37.0 South Brighton Spit/Te Kōrero and Estuary entrance	ONF 33.0 Waimakariri River	ONF 34.0 Travis Wetland/ Ōruapaeroa	ONF 35.0 Riccarton Bush/ Pūtārikamotu	ONL 1.0 to 30.0 Banks Peninsula	ONL 38.1 to 38.3 Port Hills
a.	Any building, except as listed below or where specified as “Z” below.	NC1	NC2	D1	D2	D3	D4	NC3
b.	Any residential unit, except as listed below or where specified as “Z” below.	NC4	NC5	NC6	D5	Z	NC7	NC8 *except as listed in q.
c.	A residential unit (including additions of 40 m ² or greater) within an identified building area.	RD1	NC9	RD2	D6	Z	RD3	RD4
d.	A residential unit for caretaker and site management purposes only. Limited to one per site.	D7	NC10	NC11	D8	Z	D9	D10
e.	A farm building with a footprint ≤100m ² . Limited to one per site.	P1	Z	P2	Z	Z	P3	P4
f.	A recreation facility or park management facility building with a footprint ≤100m ² . Limited to one per site.	RD5	RD6	P5	P6	Z	P7	RD7 ** except as listed in r.
g.	A tramping hut with a footprint ≤100m ² . Limited to one per site	RD8	Z	Z	Z	Z	P8	Z
h.	A building for public amenities with a footprint ≤ 100m ² . Limited to one per site.	P9	P10	P11	P12	Z	P13	P14

Activities		ONF 31.0 Kaitorete Spit 31.2 Te Waihora/Lake Ellesmere Wairewa/Lake Forsyth	ONF 32.0 Brooklands Lagoon and Spit/Te Riu o Te Aika Kawa 36.0 Te Ihutai/Avon- Heathcote Estuary 37.0 South Brighton Spit/Te Kōrero and Estuary entrance	ONF 33.0 Waimakariri River	ONF 34.0 Travis Wetland/ Ōruapaeroa	ONF 35.0 Riccarton Bush/ Pūtārikamotu	ONL 1.0 to 30.0 Banks Peninsula	ONL 38.1 to 38.3 Port Hills
i.	An addition to an existing building, where the ground floor area is increased by less than 40 m².	P15	P16	P17	P18	P19	P20	P21
j.	New access tracks that have a formed width of 5 m or greater.	RD9	RD10	RD11	RD12	RD13	RD14	RD15
k.	Construction of a new road.	D11	D12	D13	Z	Z	D14	Z
l.	Plantation forestry.	NC12	NC13	NC14*** except as listed in s.	NC15	NC16	NC17	NC18
m.	Quarrying activity.	NC19	NC20	D15*** except as listed in t.	NC21	NC22	NC23	NC24
n.	Fences	Z	Z	Z	Z	D16	Z	Z
o.	Any building listed as a permitted activity in Table 1 which does not meet the built form standard in Rule 9.2.7.1	RD16	RD17	RD18	RD19	RD20	RD21	RD22
p.	Any building listed as a permitted activity in Table 1 which does not meet the built form standard in Rule 9.2.7.2	D17	D18	D19	D20	D21	D22	D23
Geographic specific rules								
q.	* ONL 38.2 Port Hills – Montgomery Spur							RD23

Activities		ONF 31.0 Kaitorete Spit 31.2 Te Waihora/Lake Ellesmere Wairewa/Lake Forsyth	ONF 32.0 Brooklands Lagoon and Spit/Te Riu o Te Aika Kawa 36.0 Te Ihutai/Avon- Heathcote Estuary 37.0 South Brighton Spit/Te Kōrero and Estuary entrance	ONF 33.0 Waimakariri River	ONF 34.0 Travis Wetland/ Ōruapaeroa	ONF 35.0 Riccanton Bush/ Pūtārikamotu	ONL 1.0 to 30.0 Banks Peninsula	ONL 38.1 to 38.3 Port Hills
	One additional residential unit on 315 Port Hills Road (Lots 2 and 5 DP2409)							
r.	** ONL 38.2 Port Hills – Christchurch Gondola Where a rural tourism facility is co-located with the Christchurch Gondola on Mount Cavendish Lot 3 DP 619776 or Lot 2 DP 57455, a new building with a footprint ≤100m ²							RD24
s.	*** ONF 33.0 Waimakariri River Plantation forestry located west of Crossbank Road for Waimakariri River management purposes.			P22				
t.	*** ONF 33.0 Waimakariri River Quarrying activity located in the bed of the Waimakariri River for river management purposes.			P23				

Key: P = Permitted; RD = Restricted Discretionary; D = Discretionary; NC = Non-complying.

Z means Rule 9.2.4 - Landscape overlays - outstanding natural features and landscapes - does not apply to the activity listed. Instead, the rules in the relevant zone chapters, and the activity status tables and standards in the chapters listed in 9.2.3 d. apply.

9.2.4.2 Non-notification

Any application arising from Rule 9.2.4.1 RD1 to RD23 in Table 1 shall not be limited or publicly notified.

9.2.4.3 Matters of discretion

For applications arising from Rule 9.2.4.1 RD1 to RD24 in Table 1, discretion to grant or decline consent and impose conditions is restricted to the matters of discretion in Rule 9.2.8, as set out in the following table.

Activity	The Council's discretion shall be limited to the following matters:
RD1 to RD8 and RD23 to RD24 – Buildings – in Table 1	Rule 9.2.9.1. Outstanding natural features and outstanding natural landscapes, matters a. to i. and l.
RD9 to RD15 – Access tracks - in Table 1	Rule 9.2.9.1. Outstanding natural features and outstanding natural landscapes, matters a. to j. and l.
RD16 to RD22	Rule 9.2.8.4 – Building reflectivity

9.2.5 Rules — Landscape overlays - significant features and rural amenity landscapes

9.2.5.1 Activity status table

The activities listed in Table 2 below have the activity status listed within each feature and landscape overlay area (as shown on the planning maps and listed in the schedules of significant features and rural amenity landscapes in Appendix 9.2.9.2). Any building listed as a permitted activity in Table 2 shall meet the built form standards in Rule 9.2.7. The activities are also subject to compliance with any activity status, rules and standards specified elsewhere in the Plan for that activity.

Table 2: Rules — Landscape overlays — significant features and rural amenity landscapes

Activities		SF 2.0 Ōtūkaikino Creek 3.0 Styx River/ Pūharakekenui 7.0 Waikākāriki/ Horseshoe Lake 8.1 and 8.3 Ōtākaro/ Avon River 10.0 Heathcote River/ Ōpāwaho	SF 4.0 Styx Mill Reserve	SF 5.0 West Melton Dry Plains/Ōakea	SF 6.0 Christchurch Coast/Te Tai o Mahaanui	RAL 11.1 to 11.6 Port Hills	RAL 1.0 Banks Peninsula Open Space zones only
a.	Any building, except as listed below or specified as “Z” below.	D1	D2	D3	D4	D5	D6
b.	Any residential unit, except as listed below or specified as “Z” below.	D7	D8	NC1	Z	D9	D10
c.	A residential unit (including additions of 40 m ² or greater) within an identified building area.	Z	Z	RD1	Z	RD2	RD3
d.	A residential unit for caretaker and site management purposes only. Limited to one per site.	D11	D12	NC2	Z	D13	P1
e.	A farm building with a footprint ≤100m ² . Limited to one per site.	P2	P3	P4	Z	P5	P6
f.	A recreation facility or park management facility building with a footprint ≤100m ² . Limited to one per site.	D14	P7	P8	Z	P9	P10
g.	A tramping hut with a footprint ≤100m ² . Limited to one per site.	Z	Z	Z	Z	Z	P11
h.	A building for public amenities with a footprint ≤ 100m ² . Limited to one per site.	P12	P13	P14	P15	P16	P17
i.	An addition to an existing building, where the ground floor area is increased less than 40 m ² .	P18	P19	P20	P21	P22	P23

Activities		SF 2.0 Ōtūkaikino Creek 3.0 Styx River/ Pūharakekenui 7.0 Waikākāriki/ Horseshoe Lake 8.1 and 8.3 Ōtākaro/ Avon River 10.0 Heathcote River/ Ōpāwaho	SF 4.0 Styx Mill Reserve	SF 5.0 West Melton Dry Plains/Ōkakea	SF 6.0 Christchurch Coast/Te Tai o Mahaanui	RAL 11.1 to 11.6 Port Hills	RAL 1.0 Banks Peninsula Open Space zones only
j.	New access tracks that have a formed width of 5 m or greater.	RD4	RD5	RD6	RD7	RD8	RD9
k.	Construction of a new road.	D15	D16	D17	D18	D19	D20
l.	Plantation forestry.	NC3	NC4	NC5	NC6	D21	D22
m.	Quarrying activity.	NC7	NC8	NC9	NC10	NC11	NC12
n.	Any building listed as a permitted activity in Table 2 which does not meet the built form standard in Rule 9.2.7.1	RD10	RD11	RD12	RD13	RD14	RD15
o.	Any building listed as a permitted activity in Table 2 which does not meet the built form standard in Rule 9.2.7.2	D	D	D	D	D	D

Key: P = Permitted; RD = Restricted Discretionary; D = Discretionary; NC = Non-complying.

Z means Rule 9.2.5 — Landscape overlays - significant features and rural amenity landscapes - does not apply to the activity listed. Instead, the rules in the relevant zone chapters, and the activity status tables and standards in the chapters listed in 9.2.3 d. apply.

9.2.5.2 Non-notification

Any application arising from Rule 9.2.5.1 RD1 to RD15 in Table 2 shall not be limited or publicly notified.

9.2.5.3 Matters of discretion

For applications arising from Rule 9.2.5.1 RD1 to RD15 in Table 2, discretion to grant or decline consent and impose conditions is restricted to the matters of discretion in Rule 9.2.8, as set out in the following table.

Activity	The Council's discretion shall be limited to the following matters:
RD1 to RD3 – Buildings - in Table 2	Rule 9.2.8.2 Significant features and rural amenity landscapes, matters - a. to j., o. and p.
RD4 to RD9 – Access tracks - in Table 2	Rule 9.2.8.2 Significant features and rural amenity landscapes, matters - a. to m., o. and p.
RD10 to RD15	Rule 9.2.8.4 - Building reflectivity

9.2.6 Rules - Overlays for areas of natural character in the coastal environment

9.2.6.1 Activity status table

The activities listed in Table 3 below have the activity status listed within each natural character overlay area (as shown on the planning maps and listed in the schedules of areas of natural character in the coastal environment in Appendix 9.2.9.2). Any building listed as a permitted activity in Table 3 shall meet the built form standards in Rule 9.2.7. The activities are also subject to compliance with any activity status, rules and standards specified elsewhere in the Plan for that activity.

Table 3: Rules — Overlays for areas of natural character in the coastal environment

Activities		Areas of natural character in the coastal environment	Areas of at least high natural character	Areas of outstanding natural character
a.	Any building, except as listed below.	D1	NC1	NC2
b.	Any residential unit, except as listed below.	D2	NC3	NC4
c.	A residential unit (including additions that are 40 m ² or greater) within an identified building area.	RD1	RD2	RD3
d.	A farm building with a footprint ≤100m ² . Limited to one per site.	RD4	D3	D4
e.	A recreation facility or park management facility building with a footprint ≤100m ² . Limited to one per site.	RD5	D5	D6
f.	A tramping hut with a footprint ≤100m ² . Limited to one per site.	P1	D7	D8
g.	A building for public amenities with a footprint ≤ 100m ² . Limited to one per site.	P2	P3	D9
h.	An addition to an existing building, where the ground floor area is increased by less than 40 m ² .	P4	P5	P6
i.	New access tracks that have a formed width of 5 m or greater.	RD6	RD7	RD8
j.	Construction of a new road.	D10	NC5	NC6
k.	Plantation forestry.	NC7	NC8	NC9
l.	Quarrying activity.	NC10	NC11	NC12
m.	Any building listed as a permitted activity in Table 1 which does not meet the built form standard in Rule 9.2.7.1	RD9	RD10	RD11
n.	Any building listed as a permitted activity in Table 1 which does not meet the built form standard in Rule 9.2.7.2	D11	D12	D13

Key: P = Permitted; RD = Restricted Discretionary; D = Discretionary; NC = Non-complying.

9.2.6.2 Non-notification

Any application arising from Rule 9.2.6.1 RD1 to RD3 and RD6 to RD11 in Table 3 shall not be limited or publicly notified.

9.2.6.3 Matters of discretion

For applications arising from Rule 9.2.6.1 RD1 to RD11 in Table 3, discretion to grant or decline consent and impose conditions is restricted to the matters of discretion in Rule 9.2.8, as set out in the following table.

Activity	The Council's discretion shall be limited to the following matters:
RD1 to RD5 – Buildings - in Table 3	Rule 9.2.8.3. Natural character in the coastal environment, matters - a. to k. and n.
RD6 to RD8 – Access tracks - Table 3	Rule 9.2.8.3. Natural character in the coastal environment, matters - a. to l. and n.
RD9 to RD11	Rule 9.2.8.4 - Building reflectivity

9.2.7 Rules — Built form standards

Rule 9.2.7 applies in the following overlays:

- a. outstanding natural features;
- b. outstanding natural landscapes;
- c. significant features (other than SF8.2 Otakaro/Avon River in the Central City);
- d. rural amenity landscapes (other than RAL1.0 Banks Peninsula with rural zoning);
- e. natural character in the coastal environment;
- f. high natural character areas in the coastal environment; and
- g. outstanding natural character areas in the coastal environment.

Except that Rule 9.2.7 shall not apply to Māori Land in the Papakāinga/Kāinga Nohoanga Zone.

9.2.7.1 Building reflectivity

- a. The reflectivity of any building shall be no greater than 40%.

9.2.7.2 Identified important ridgelines on Banks Peninsula

- a. Buildings shall be located at an elevation at least 20 vertical metres immediately below that of any adjoining identified important ridgeline.

9.2.8 Rules - Matters of discretion - outstanding natural features and landscapes, significant features and rural amenity landscapes and natural character in the coastal environment

When considering applications for restricted discretionary activities, the Council's discretion to grant or decline consent, or impose conditions, is restricted to the matters over which discretion is restricted in the relevant rule and as described below.

9.2.8.1 Outstanding natural features and outstanding natural landscapes

- a. Whether the proposal is consistent with protecting and enhancing the qualities of the outstanding natural feature and/or landscape;
- b. The extent to which the proposal will detract from the naturalness and openness of the landscape;
- c. Whether the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu;
- d. Whether the proposal will integrate into the landscape and the appropriateness of the scale, form, design and finish (materials and colours) proposed and mitigation measures such as planting. This shall include consideration of any adverse effects of reflectivity, glare and light spill;
- e. The proximity and extent to which the proposal is visible from public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point;
- f. The extent to which natural elements such as landforms and vegetation within the site mitigate the visibility of the proposal;
- g. The extent to which the proposal will result in adverse cumulative effects;
- h. Whether the proposal supports the continuation of farming activities in rural zone;
- i. Whether the proposal is connected to reticulated water and the need to provide water supply (for firefighting), and the ability to integrate water tanks into the landscape and mitigate any adverse visual effects;
- j. For new access tracks, whether the track supports conservation, farming, recreation or rural tourism activities and the ability to integrate with the landscape, follow natural contours and mitigate any adverse effects;
- k. The extent to which the proposal has technical or operational needs for its location; and
- l. Within a site of Ngāi Tahu cultural significance, the matters set out in Rule 9.5.4 as relevant to the site classification:
 - i. Rule 9.5.4.1 - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitorete Spit;
 - ii. Rule 9.5.4.2 - Ngā Tūrangā Tūpuna; and
 - iii. Rule 9.5.4.3 - Ngā Wai.

[Rule numbers and names may be amended following the Panel's Decision on sub-chapter 9.5]

9.2.8.2 Significant features and rural amenity landscapes

- a. Whether the proposal is consistent with maintaining the qualities of the significant feature and/or rural amenity landscape;
- b. Any adverse effects on adjoining outstanding natural features, outstanding natural landscapes or natural character in the coastal environment, and whether there is a sufficient separation to avoid detracting from the qualities of those areas. When assessing separation, account shall be taken of visual separation, vertical and horizontal setback distances and retention of indigenous vegetation;
- c. On Banks Peninsula, the extent to which the proposal will detract from visual amenity landscape values. This shall include consideration of the extent to which the proposal is consistent with design guidance;
- d. Within greater Christchurch (including the Port Hills), the extent to which the proposal will detract from the natural landscape values;
- e. Whether the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu;
- f. Whether the proposal will integrate into the landscape and the appropriateness of the scale, form, design and finish (materials and colours) proposed and mitigation measures such as planting. This shall include consideration of any adverse effects of reflectivity, glare and light spill;
- g. The proximity and extent to which the development is visible from public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point;
- h. The extent to which natural elements such as landforms and vegetation within the site mitigate the visibility of development;
- i. The capacity of the landscape to absorb change and the extent to which opportunity has been taken to cluster built development in areas of existing built development with a higher potential to absorb development while retaining areas which are more sensitive to change;
- j. The extent to which the proposal will result in adverse cumulative effects;
- k. Whether the proposal supports the continuation of farming activities in rural zones;
- l. Whether the proposal is connected to reticulated water and the need to provide water supply (for firefighting), and the ability to integrate water tanks into the landscape and mitigate any adverse visual effects;
- m. For new access tracks whether the access supports conservation, farming or recreation activities, the ability to integrate with the landscape, follow natural contours and mitigate any adverse visual effects;
- n. The extent to which the proposal has technical or operational needs for its location;
- o. For proposed activities in connection with a recovery activity in the Flat Land Recovery Zone, the extent to which the qualities of the significant natural feature of the Avon River will be maintained; and

- p. Within a site of Ngāi Tahu cultural significance, the matters set out in Rule 9.5.4 as relevant to the site classification:
 - i. Rule 9.5.4.1 - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitorete Spit;
 - ii. Rule 9.5.4.2 - Ngā Tūranga Tūpuna; and
 - iii. Rule 9.5.4.3 - Ngā Wai.

[Rule numbers and names may be amended following the Panel's Decision on sub-chapter 9.5]

9.2.8.3 Natural character in the coastal environment

- a. Whether the proposal is consistent with preserving the natural character qualities of the coastal environment;
- b. Within areas of outstanding natural character in the coastal environment, whether adverse effects are avoided and the proposal does not damage, diminish or compromise natural character;
- c. Within areas of at least high natural character, whether development can be practicably located outside the area of high natural character;
- d. Whether any restoration or rehabilitation of the natural character of the coastal environment is proposed;
- e. Whether the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu;
- f. Whether the development will integrate into the landscape and the appropriateness of the scale, form, design and finish (materials and colours) proposed and mitigation measures such as planting. Any adverse effects of reflectivity, glare and light spill;
- g. The proximity and extent to which the proposal is visible from public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point;
- h. The extent to which natural elements such as landforms and vegetation within the site mitigate the visibility of development;
- i. The capacity of the landscape to absorb change and the extent to which the opportunity has been taken to cluster built development in areas with a higher potential to absorb development while retaining areas which are more sensitive to change;
- j. The extent to which the proposal will result in sprawling or sporadic development along the coastline and adverse cumulative effects;
- k. Whether the proposal is connected with the need to provide water supply (for firefighting), and the ability to integrate water tanks into the landscape and mitigate any adverse visual effects;
- l. For new access tracks, whether the access supports conservation, farming or recreation activities that are complementary to natural character, and the ability to integrate with the landscape, follow natural contours and mitigate any adverse visual effects;

- m. The extent to which the proposal has technical or operational needs for its location; and
- n. Within a site of Ngāi Tahu cultural significance, the matters set out in Rule 9.5.4 as relevant to the site classification:
 - i. Rule 9.5.4.1 - Wāhi Tapu / Wāhi Taonga, Mahaanui Iwi Management Plan Silent Files and Kaitorete Spit;
 - ii. Rule 9.5.4.2 - Ngā Tūranga Tūpuna;
 - iii. Rule 9.5.4.3 - Ngā Wai.

[Rule numbers and names may be amended following the Panel's Decision on sub-chapter 9.5]

9.2.8.4 Building reflectivity

- a. The extent to which the building will give rise to adverse visual effects, taking into account the size of the building and the surface area with high reflectivity;
- b. Whether the proposed exterior materials respond to and respect the landscape and natural character; and
- c. The extent to which the building is consistent with design guidance.

9.2.9 Appendices

9.2.9.1 Identified Outstanding natural features, Outstanding natural landscapes, Significant features, Rural amenity landscapes and Areas of outstanding and high (and very high) natural character in the coastal environment; and descriptions of their qualities

9.2.9.1.1 Outstanding natural features

The following are the district's identified outstanding natural features and their qualities:

- a. Kaitorete Spit:
 - i. The vast, low-lying Kaitorete Spit is a distinctive beach barrier landform separating Te Waihora / Lake Ellesmere from the sea and provides a sense of openness.
 - ii. Contains a large sand dune system with native sand binding plant pingao and herbfield communities.
 - iii. High importance to tāngata whenua, containing numerous archaeological sites, particularly middens and habitation sites.
 - iv. Residential development is confined to the Birdlings Flat / Poranui settlement, which is small in scale and distinctive in character.
- b. Te Waihora / Lake Ellesmere:

- i. Important in terms of its geological and coastal landform attributes with the lagoon representing a rare landscape feature.
 - ii. Provides important indigenous fish and bird habitat, and the brackish coastal lagoon, indigenous riparian marshland and wetland plant communities along the lake edge are of ecological significance.
 - iii. Cultural associations are highly important in accordance with tikanga Māori and in respect of Ngāi Tahu history, mahinga kai and customary fisheries.
- c. Wairewa / Lake Forsyth:
- i. An inland coastal lake within an ancient harbour eroded between volcanic rock deposits and an outlet impounded by beach gravels.
 - ii. Significant to Ngāi Tahu as a key mahinga kai and associated with tuna (eels) and their harvest during the annual heke (migration) from lake to sea, and number of pā and kāinga and associated urupā in close vicinity to the lake, including Ōruaka and Te Mata Hapuka near the outlet.
 - iii. Notable values associated with the marsh species occurring along the brackish waters and numerous bird species.
- d. Brooklands Lagoon and Spit / Te Riu o Te Aika Kawa:
- i. The landform of Brooklands Spit and Lagoon formed behind the dunes barrier are distinctive geomorphological features adjacent to the Waimakariri river mouth.
 - ii. Extensive views and sense of isolation.
 - iii. The saltmarsh and mudflats, lagoon channel, Styx river mouth and banks are important habitats, in particular for plants and bird life.
 - iv. Brooklands Lagoon / Te Riu o Te Aika Kawa and the lower Waimakariri River and mouth are important mahinga kai sites. A number of urupā and archaeological sites, as well as the Pūharakekenui Māori Reserve are significant to Ngāi Tahu.
 - v. The majority of the area lends itself to quiet recreation, including bird watching and fishing with Spencer and Seaford Parks popular recreational hubs.
- e. Waimakariri River:
- i. A large braided river, being one of the best examples of a braided riverbed and associated wetland habitat in New Zealand.
 - ii. A distinctive natural feature which defines the northern boundary of the district.
 - iii. Important bird habitat and native plant communities in the understorey of surrounding vegetation.
 - iv. Significant to Ngāi Tahu in relation to settlement, migration, cultivations, mahinga kai and associated urupā.
 - v. European heritage values associated with early settlement flood control works.
 - vi. Contemporary recreation, such as watersports and fishing.
- f. Travis Wetland / Ōruapaeroa:

- i. The largest remaining freshwater wetland and the best example of its kind in Christchurch City.
 - ii. Provides an important natural contrast with the wider urban environment.
 - iii. Significant to Ngāi Tahu in relation to mahinga kai, settlement and occupation.
 - iv. An area which has undergone and continues to undergo extensive restoration.
 - v. An important wildlife refuge.
 - vi. An important recreation and education resource for the district as a wetland nature heritage park.
- g. Pūtarikamotu / Riccarton Bush:
- i. A remnant, largely unmodified area of low-land podocarp forest located within the wider urban environment.
 - ii. A park like landscape setting with significant heritage buildings and trees.
 - iii. A long history and important cultural associations for both Ngāi Tahu and European with the settlement of Ōtautahi/Christchurch.
 - iv. The podocarp forest has important ecological values and a significant traditional mahinga kai of Ngāi Tahu.
 - v. Important recreational and education values.
- h. Te Ihutai / Avon-Heathcote Estuary:
- i. The formative processes, tidal influence and shifting channels of the Ōtākaro / Avon and Heathcote / Ōpāwaho rivers mouths and the adjacent New Brighton sand spit make the estuary a highly legible landscape feature.
 - ii. The series of caves and rocky headlands from the mouth of the Heathcote / Ōpāwaho River to Scarborough Heads are significant geological features with important heritage, archaeological and cultural values.
 - iii. Important bird feeding and breeding site, nationally important for wading birds.
 - iv. Shag Rock / Rapanui, Tuawera / Cave Rock and Clifton Cliffs are of geological interest, visually prominent, and are of significance to Ngāi Tahu
 - v. Significance in relation to Māori heritage due to extensive settlement, occupation and the use of Te Ihutai / Avon-Heathcote Estuary as a major mahinga kai.
 - vi. Te Ihutai / Avon-Heathcote Estuary and Sumner beach / Matuku-takotako are particularly popular for recreational use.
- i. South Brighton Spit / Te Kōrero Karoro and Estuary entrance:
- i. The openness and visual separation of the beach from the adjacent urban environment by sand dunes.
 - ii. The sand dunes are important landform characteristics of the landscape including the native vegetation occurring on them.
 - iii. South Brighton Spit / Te Kōrero Karoro is an important bird habitat and distinctive landscape feature that defines the entrance to Te Ihutai / Avon-Heathcote estuary.

- iv. An area of significance to Ngāi Tahu in relation to mahinga kai, migration and settlement.
- v. High recreational values of the beach and coastal interface due to the proximity to the city.

9.2.9.1.2 Outstanding natural landscapes

The following are the district's identified outstanding natural landscapes and their qualities:

- a. Banks Peninsula / Te Pātaka o Rākaihautū:
 - i. Distinctive volcanic landforms with highly legible crater rims, prominent ridgelines and peaks extending to a series of gullies, spurs and lower slopes, and continuity of rock outcrops.
 - ii. The presence of important areas of indigenous vegetation.
 - iii. Important landscapes and features to Ngāi Tahu especially those prominent peaks and passes, streams and vegetation that relate to key tribal origin, migration and settlement traditions, including mahinga kai.
 - iv. A predominance of natural features, processes and patterns and farming with existing development generally well integrated into the landscape.
 - v. Within the coastal environment, the presence of generally highly legible landforms, visually impressive cliffs, islands and caves.
- b. Port Hills / Ngā Kohatu Whakarakaraka o Tamatea Pōkai Whenua:
 - i. Distinctive volcanic landform with highly legible crater rim, rocky outcrops, radial spurs and valleys.
 - ii. Skyline forms an important visual backdrop to Otautahi/Christchurch.
 - iii. A natural landscape characterised by openness and a general absence of human-made structures on the upper slopes and ridges, particularly the area east of Dyers Pass Road.
 - iv. The colours of the hills reflect the seasonal changes.
 - v. A major recreation and rural tourism resource for the city's residents and visitors.
 - vi. The presence of important areas of indigenous vegetation including remnants and restored bush in gullies / cliffs and tussocks on spurs and slopes.
 - vii. Important to Ngāi Tahu especially those prominent peaks and passes, streams and vegetation that relate to key tribal origin, migration and settlement traditions, including mahinga kai.
 - viii. A predominance of natural features, processes and patterns and farming with existing development generally well integrated into the landscape.
 - ix. The Summit Road Protection Act area with important landscape, recreation, rural tourism and cultural heritage values.

9.2.9.1.3 Significant features

The following are the district's identified significant features and their qualities:

- a. Ōtūkaikino Creek:
 - i. A spring-fed stream being an old meander of the Waimakariri.
 - ii. The clear water of the stream and associated wetlands are of high ecological value.
 - iii. Accessible through the Groynes reserve with walkways and recreational facilities.
 - iv. Significant to Ngāi Tahu due to the presence of various wāhi tapu.
- b. Styx River / Pūharakekenui:
 - i. The Styx River / Pūharakekenui is a spring-fed lowland river being an older meander of the Waimakariri.
 - ii. Its sections of native vegetation and presence of wildlife it contributes to the amenity of the adjoining residential areas.
 - iii. Cultural significance to Ngāi Tahu, particularly relating to mahinga kai and kāinga (settlements). The Pūharakekenui Māori Reserve fronts the river towards its mouth.
- c. Styx Mill Reserve:
 - i. An important representative area of the former Styx River floodplain and wetlands.
 - ii. Has large areas of indigenous planting and ecological restoration.
 - iii. Associated with an area of importance to Ngāi Tahu in relation to mahinga kai.
 - iv. An area with important historic heritage connected to European settlement and mill industries.
 - v. An important wildlife refuge.
- d. West Melton Dry Plains / Ōkakea:
 - i. A predominantly open, rural area where the former braids of the Waimakariri River are legible across large parts of the landscape.
 - ii. An area with important ecological values, including the presence of a large area of the kōwhai savannah grasslands, and other dryland plant communities.
 - iii. An area of importance to Ngāi Tahu associated with a network of settlements and mahinga kai sites located along the former path of the Waimakariri River.
 - iv. The dry appearance maintained by extensive pastoral grazing.
- e. Christchurch Coast / Te Tai o Mahaanui:
 - i. The foreshore and dune between Brooklands Lagoon and South Brighton is an extensive natural feature.
 - ii. A windswept environment with panoramic views, including to the Port Hills.
 - iii. The dune zone is an active, dynamic system dominated by exotic marram grass with smaller areas of native pingao.

- iv. Native plant communities exist, although the majority of the hinterland is highly modified with pine forest or urban settlement.
 - v. The coastline is important to Ngāi Tahu as a traditional mahinga kai, as well as in relation to settlement and migration traditions.
 - vi. Spencer Park and other nodes of development contain popular recreation infrastructure, such as surf clubs.
- f. Horseshoe Lake / Waikākāriki:
- i. One of the few remaining low-land swamps in the district and a unique feature due to its distinctive and original ox-bow shape, being an older meander of Ōtākaro/Avon River.
 - ii. Significant to Ngāi Tahu as a mahinga kai, pā and urupā.
 - iii. An area which has a thick undergrowth of indigenous plants and is an important bird habitat.
- g. Ōtākaro /Avon River and Heathcote River / Ōpāwaho:
- i. The rivers provide an important natural contrast with the wider urban environment.
 - ii. Ecologically important, including for indigenous fauna and indigenous vegetation.
 - iii. Historic heritage associated with both early Māori and European settlement.
 - iv. Cultural significance to Ngāi Tahu, particularly relating to mahinga kai and associated pā and kāinga (settlements).
 - v. The river banks have high amenity values and valued for passive recreation.
 - vi. The Ōtākaro / Avon River is an important natural feature in the city, particularly at Mona Vale, Hagley Park, the Botanic Gardens, and Central City, and contains remnant channels, basins, wetlands and springs reflecting the geomorphological history of the city landscape.
 - vii. Heathcote River / Ōpāwaho with its origin in the tributary streams flowing from Port Hills provides a corridor of high amenity values as it meanders through the residential suburbs and has strong historic heritage values, particularly in the industrial area of Woolston and Radley's wharf where the towpath along the river is now used as a walkway.

9.2.9.1.4 Rural amenity landscapes

The following are the district's identified rural amenity landscapes and their qualities:

- a. Banks Peninsula:
- i. A predominantly farming, rural working landscape.
 - ii. Distinctive volcanic landforms with highly legible crater rims, prominent ridgelines and peaks extending to a series of gullies, spurs and lower slopes, and continuity of rock outcrops.
 - iii. The presence of important areas of indigenous vegetation.

- iv. Important landscapes and features to Ngāi Tahu especially those prominent peaks and passes, streams and vegetation that relate to key tribal origin, migration and settlement traditions, including mahinga kai.
 - v. A predominance of natural features, processes and patterns with existing development generally well integrated into the landscape.
 - vi. Within the coastal environment, the presence of generally highly legible landforms, visually impressive cliffs, islands and caves.
- b. Port Hills:
- i. An important visual backdrop to Christchurch.
 - ii. A major recreation resource for the city's residents and visitors.

9.2.9.1.5 Areas of outstanding and high (and very high) natural character in the coastal environment

The following are the district's identified areas of outstanding and high (and very high) natural character in the coastal environment and their natural character qualities:

Advice Note: Appendix 9.2.9.2.12 contains a map showing the location of the southern, eastern, northern bays and harbour areas described below.

- a. Kaitorete Spit:
- i. A unique geological feature, being a distinctive beach barrier and with a long continuous area of outstanding natural character.
 - ii. An expansive, bare windswept environment, with a sense of isolation and extensive views.
 - iii. An area of ecological importance due to its unique wildlife and habitat, such as the indigenous pingao.
 - iv. Extensive cultural and archaeological sites associated with Ngāi Tahu migration, settlement and mahinga kai.
 - v. Historic farming operations.
- b. Te Waihora / Lake Ellesmere:
- i. A significant coastal lake, the only such geological feature within the district with an area of continuous outstanding natural character.
 - ii. An open, expansive low-lying landscape with panoramic views.
 - iii. An area with important riparian marshland and wetland, and salt marsh mudflats which provide fish and bird habitat.
 - iv. Holding outstanding values associated with Tikanga Māori in respect of Ngāi Tahu history, mahinga kai and customary fisheries.
- c. Wairewa / Lake Forsyth:
- i. An inland coastal lake within an ancient harbour eroded between volcanic rock deposits and an outlet impounded by beach gravels.

- ii. Marsh species occurring along the brackish waters and numerous bird species.
 - iii. Significant to Ngāi Tahu, associated with settlement and mahinga kai, including the coastal pā and settlements of Ōruaka, Te Mata Hapuka and Poranui.
- d. Southern Bays Coastal Area / Poranui ki Timutimu:
- i. An isolated, rugged, coastal landscape with a continuous area of very high natural character.
 - ii. Areas of outstanding natural character comprising freshwater dunes and indigenous vegetation which contrasts to the surrounding more open farmed landscape.
 - iii. Significant Ngāi Tahu coastal settlements and mahinga kai areas including Te Kaio, Pireka and Whakamoa.
- e. Eastern Bays Coastal Area / Pohatu ki Panau:
- i. A remote, wild landscape with long continuous areas of high natural character and areas of outstanding natural character situated around parts of the coastline.
 - ii. The area includes larger tracts of indigenous and regenerating vegetation than elsewhere in the district's coastal environment, unique flora and fauna, and a sense of interactive coast due to the variety of wildlife.
 - iii. The southern section forms the entrance to Akaroa Harbour, with impressive coastal cliffs, an area of outstanding natural character.
 - iv. Coastal pā, mahinga kai and sites of significance to Ngāi Tahu including Paekaroro, Parakākāriki, Ngā Toko Ono, Ōkaruru, Kawatea and Pānau.
 - v. Small settlements are nestled in the valley floors at Okains Bay / Ōpara and Le Bons Bay / Ōtauwao and historic farming operations that continue today.
- f. Akaroa and Whakaraupō / Lyttelton Harbours:
- i. Long, enclosed, and sheltered harbours distinct from the open coastline.
 - ii. Small settlements dispersed around the inner areas of the harbours, predominantly contained within bays while headlands represent a contrast due to their generally less developed character and open farmed spaces.
 - iii. Akaroa Harbour has areas of high natural character on headlands within the central area of the harbour, at Red Point / Te Pāua Mataotao, Takamatua Hill / Ōtipua, Takamatua Bay, Hammond Point / Te Umu Te Rehua, Petit Carenage Bay / Ōpakia, Tikao Bay / Okoropeke, Te Monene, and Wainui. These areas are very important for their indigenous vegetation, generally unmodified landform, and an absence of development and structures in close proximity to urban settlement. These sites also hold significance to Ngāi Tahu in relation to settlement and mahinga kai.
 - iv. Ōnawe is a significant landscape feature in the upper Akaroa Harbour with regenerating vegetation, habitat for both bush and coastal birds, and an important pā site of Ngāi Tahu.
 - v. Whakaraupō / Lyttelton Harbour has small sections of high natural character in close proximity to the entrance to the harbour, Purau headland and adjoining settlements in the north of the harbour, including Taukahara and Ōtuherekio near the Ngāi Tahu settlement

of Rāpaki. These sites and other places in the harbour hold significance to Ngāi Tahu in relation to settlement and mahinga kai.

- vi. The mudflats at Teddington, an area of high natural character in the southern point of Lyttelton Harbour traditionally known for the extensive raupō that grew there, hence the Ngāi Tahu name for the harbour - Whakaraupō.
 - vii. Awaroa / Godley Head and Te Piaka / Adderley Head guard and signal the entrance to Whakaraupō / Lyttelton Harbour, with impressive high cliffs, distinctive volcanic features, and important historic heritage and a site of significance to Ngāi Tahu, known as Ōtokitoki.
 - viii. Ōtamahua / Quail Island has important cultural associations, particularly in relation to mahinga kai, and is an important landform in the centre of the harbour together with Moepuku / Moepuku Point and Kaitangata / Mansons Peninsula. Ripapa Island in outer Lyttelton Harbour has a rich history with gun emplacements and its tangata whenua associations.
- g. Northern Bays Coastal Area / Koukourārata ki Whakaroa:
- i. Predominantly a rural working landscape.
 - ii. A sense of isolation in close proximity to the urban areas of the district.
 - iii. Areas of high natural character at the headlands of the long and narrow bays of Port Levy / Koukourarata, Little Akaloa / Whakaroa and Pigeon Bay / Wakaroa.
 - iv. Koukourārata, also known as Te Ara Whānui o Makawhiua, is a particularly significant bay for Ngāi Tahu associated with both traditional and contemporary settlements, Māori reserves sites, and being known for its mahinga kai.
 - v. Several small settlements are nestled in the bays to the northern extent of the area.
 - vi. Horomaka Island provides important habitat and a visual attraction in Koukourarata / Port Levy, as well as being of cultural significance.
- h. Avon-Heathcote Estuary/ Te Ihutai:
- i. Active estuary with shifting channels and dynamic tidal system with high natural character despite significant modifications along its edges.
 - ii. The saltmarsh areas and mudflats are important habitats.
 - iii. Important bird feeding and breeding site.
 - iv. Ngāi Tahu settlements and mahinga kai sites around the edge of the estuary that made use of the extensive food resources, including Te Kai a Te Kāroto, Ohikuparapara, Raekura and Waipātiki and the former Māori fishing reserve called Te Ihutai.
- i. Christchurch Coast / Te Tai o Mahaanui:
- i. Long open coastline, with sandy beaches and larger extent of active dune systems being of high natural character.
 - ii. Remote and windswept environments, with expansive views and sense of remoteness from the nearby urban settlements and modified areas.

- iii. Southern tip of South Brighton Spit / Te Kōrero Karoro is an area of very high natural character, a geomorphologic feature with important ecological values and provides habitat for bird species such as the godwit.
 - iv. The extensive, open, natural feature of the foredunes to the east of Bottle Lake Forest contrasts with more enclosed nature of the plantation forest at Bottle Lake Forest.
 - v. Significant to Ngai Tahu in relation to settlement, migration and mahinga kai, particularly associated with key sites including Ōruapaeroa, Te Kōrero Karoro, Rapanui, Tuawera, Matukutakotako and Te Kai a Te Karoro.
- j. Brooklands Lagoon and Spit / Te Riu o Te Aika Kawa (including the Waimakariri River Mouth and lower Styx River/ Pūharakekenui):
- i. A dynamic, coastal environment with rare coastal features of the estuary/lagoon and Waimakariri River Mouth representing an area of outstanding natural character.
 - ii. Open, remote, wild environment within Brooklands Lagoon/ Te Riu o Te Aika Kawa from which impressive views are gained to the Waimakariri River Mouth.
 - iii. Significant to Ngai Tahu in relation to settlement and mahinga kai, particularly associated with the Pūharakekenui Māori Reserve.
 - iv. Native dunelands are found within the Spit.
 - v. Important habitat values associated with the extensive tidal mudflats and saltmarsh of Brooklands Lagoon/ Te Riu o Te Aika Kawa.
 - vi. Ecological importance of the mouth and lower Styx River/ Pūharakekenui.

9.2.9.2 Schedules and Reference Maps of Outstanding natural features, Outstanding natural landscapes, Significant features, Rural amenity landscapes and Areas of natural character in the coastal environment

Explanatory note on naming convention - Character area (inc. Māori name) - sub area - description (e.g. summit etc) – additional or Ngāi Tahu description

Appendix 9.2.9.2.1 Schedule of Outstanding natural features

ID Number	Planning Map Number	Name and/or Location by Character Area	Description
ONF31.0	R4 R6 R7 R8 78	Kaitorete Spit - Birdlings Flat / Poranui	Foreshore, dunes and cliffs.
ONF31.2	R3 R6 R7 R8	Kaitorete Spit – Birdlings Flat / Poranui and Te Waihora / Lake Ellesmere – Coastal Dunes and Margins	Coastal dunes and foreshore, Te Waihora margins.
ONF32.0	2 6	Brooklands Lagoon & Spit / Te Riu o Te Aika Kawa	Lagoon and associated wetlands.
ONF33.0	1 2 3 4 5 7 8 9 10 11 14	Waimakariri River	Open space water and margins on south bank.
ONF34.0	20 26	Travis Wetland / Oruapaeroa	Wetland and associated park
ONF35.0	31	Riccarton Bush / Putarikamotu	The bush and associated park
ONF36.0	33 34 40 41 47 48	Te Ihutai / Avon-Heathcote Estuary	All of the estuary below the mean high water springs (MHWS) and including Sumner beach.
ONF37.0	34 41	Christchurch Coast / Te Tai o Mahaanui New Brighton - South Brighton Spit / Te Korero Karoro and Estuary Entrance	Southshore spit and entrance to Estuary

Appendix 9.2.9.2.2 Schedule of Outstanding natural landscapes

ID Number	Planning Map Number	Name and/or location by Character Area	Description
ONL1.0	R1, 52, 53	Ōhinehou / Lyttelton - Summits – Ō Kete Ūpoko	Crater Rim and upper slopes above Ōhinehou / Lyttelton
ONL2.0	51, 52, 57, 60, R1	Rāpaki Ōhinetahi / Governors Bay - Summits – Ōtaranui ki Ōmawete	Crater Rim and upper slopes above Rāpaki and Governors Bay
ONL3.1	R1, 58, 61	Whakaraupō / Upper Lyttelton Harbour Teddington – Ōtamahua / Quail Island	The whole of Ōtamahua/Quail Island
ONL3.2	R1	Whakaraupō / Upper Lyttelton Harbour -Teddington - Summits – Ōmawete ki te Tara o Te Rangihikaia	Crater Rim and upper slopes above Teddington
ONL3.3	R1, R3, R4	Whakaraupō / Upper Lyttelton Harbour -Teddington – Mt Bradley	Crater Rim, upper slopes and summit Mt Bradley
ONL4.1	61, 62, 63, R1	Waipapa / Diamond Harbour - Dip Slope – Te Ahu Pātiki ki Waipapa	Dip slope above the township up to Te Ahu Pātiki / Mt Herbert summit
ONL4.2	59, 62, R1	Waipapa / Diamond Harbour -Purau- Eastern Summits	Upper slopes above Purau
ONL5.1	59, 62, R1	Te Piaka / Adderley Head – Mt Evans	Upper rocky outcrops and summit of Mt Evans
ONL5.2	54, R1	Te Piaka / Adderley Head – West	Coastline and coastal slopes on Western side of Te Piaka / Adderley Head
ONL6.1	54, R1	Port Levy / Koukourārata - Te Piaka / Adderley Head - East	Coastline and coastal slopes on Eastern side of Te Piaka / Adderley Head
ONL6.2	R1, 62	Port Levy / Koukourārata - Western Summits	Upper slopes and ridgeline
ONL6.3	R1, R4,	Port Levy / Koukourārata - Southern Summits – Waipuna	Upper slopes and ridgeline
ONL6.4	R1, R2, 64	Port Levy / Koukourārata - Eastern Summits – Kākānui ki Ngārara	Upper slopes and ridgeline
ONL8.1	64, R1, R2	Pigeon Bay / Wakaroa - Western Summits - Wildcattle Hill	Upper slopes and ridgeline including Wildcattle Hill, above Kakomutumutu / Holmes Bay
ONL8.2	R1, R4, 67	Pigeon Bay / Wakaroa - South-western Summits - Tarawera / Mount Sinclair	Upper slopes and ridgeline including Tarawera / Mount Sinclair

ID Number	Planning Map Number	Name and/or location by Character Area	Description
ONL8.3	R4	Pigeon Bay / Wakaroa - Southern Summits	Upper slopes and ridgeline
ONL8.4	65, 67, R2, R4	Pigeon Bay / Wakaroa - Eastern Summits	Upper slopes and ridgeline running to the coast
ONL9.1	R2	Kirikiriwarea / Menzies Bay - Coastline – Wakaroa to Whitehead Bay	Fluted headland along the coast of from Wakaroa Point to Whitehead Bay
ONL9.2	R2, R4,	Kirikiriwarea / Menzies Bay - Upper Slopes	Elevated landform at the summit above the bay
ONL10.0	R2, R4, R5	Little Akaloa / Whakaroa - Summit and Ridgeline	Summit, ridgeline and associated spurs
ONL11.1	R2	Pānau / Long Lookout Point - Raupō Bay -Stony Beach – Coastline	Area along the coastline and sea-cliffs from Pānau / Long Lookout Point to West Head
ONL11.2	R2, R5, 68	Pānau / Long Lookout Point - Raupō Bay -Stony Beach Upper Slopes	Upper slopes around Chorlton, between View Hill and West Peak
ONL12.1	R2	Okains Bay / Ōpara – Coastline	Area along the coastline and sea-cliffs
ONL12.2	R5, 68	Okains Bay / Ōpara - North-western Upper Slopes and Ridgeline	Summit ridge from West Peak and including eastern face of Maukatai / Duvauchelle Peak
ONL12.3	R5	Okains Bay / Ōpara - – Southern Upper Slopes and Ridgeline – Poaiiha / Okains Peak	Summit ridge, including Poaiiha / Okains Peak
ONL13.1	R2, R5	Te Puke ki Waitaha / Pa Island –Whakarari / Lavericks Bay – Coastline	Area along the coastline, sea-cliffs and bays
ONL13.2	R5	Te Puke ki Waitaha/Pa Island – Whakarari / Lavericks Bay - Summit – Lavericks Peak	Summit and ridgeline above Whakarari / Lavericks Bay, including Lavericks Peak
ONL14.1	71, 72, R5	Le Bons Bay / Ōtauwao - Upper Slopes and Ridgelines	Upper slopes and ridgelines, including Le Bons Peak
ONL14.2	72, R5	Le Bons Bay / Ōtauwao - Southern headland – Steep Head	Cliffs and coastline towards Steep Head
ONL15.1	R5, 72	Ōtutahuao / Hickory Bay – Ōkaruru / Goughs Bay - Coastline	Area along the coastline from the southern head of Le Bons Bay / Ōtauwao to the north head of Ōkaruru / Goughs Bay including sea-cliffs, bays and islands

ID Number	Planning Map Number	Name and/or location by Character Area	Description
ONL15.2	R5, 71	Ōtutahuao / Hickory Bay – Ōkaruru / Goughs Bay - Upper Slopes and Ridgelines – Te Hiwiroa	Upper slopes and ridgelines
ONL15.3	R5	Ōtutahuao / Hickory Bay – Ōkaruru / Goughs Bay - Southern Summit	High point between Ōkaruru / Goughs and Tititewhao / Paua Bays
ONL16.1	R5	Hinewai - North – Tititewhao / Paua Bay –Summit	High point between Ōkaruru / Goughs and Tititewhao / Paua Bays
ONL16.2	R5, R9	Hinewai - Central – Slopes and Coastline	Upper and middle slopes and coast line including sea-cliffs, bays and islands
ONL16.3	R9	Hinewai - South – Akaroa Head to Ōunuhau / Haylocks Bay	Akaroa Head coastline to Ōunuhau / Haylocks Bay
ONL17.0	R8, R9	Te Ruahine / Akaroa Head	Summit ridge down to coastline and sea-cliffs
ONL18.0	R5, R9	Akaroa - Summits and Ridgeline – Ōteauheke ki Taraterehu	Upper slopes and ridgeline, including Ōteauheke / Brasenose and Taraterehu / Purple Peak
ONL19.0	76, R5	Takamatua - Kakakaiau / Robinsons Bay - Summits - Ōtepatatu	Upper slopes and ridgeline
ONL20.1	R4, 70, 73	Duvauchelle Bay - Barrys Bay - Ōnawe Peninsula	All of Ōnawe Peninsula from the northern point at Onawe Flat Road.
ONL20.2	R4, R5	Duvauchelle Bay - Barrys Bay - North-eastern Summits – Maukatai / Duvauchelle Peak	Upper slopes and ridgeline, including Maukatai / Duvauchelle Peak
ONL20.3	R4	Duvauchelle Bay-Barrys Bay - North-western Summits – Te Ukura	Upper slopes, ridgeline and summit
ONL20.4	R4	Duvauchelle Bay- Barrys Bay South-western Summits – Puha / French Hill	Upper slopes, ridgeline and summit, including Puha / French Hill
ONL21.0	R4	French Farm Bay - Wainui Pass – Puha ki Pūwaitaha	Upper slopes and ridgelines, Wainui Pass
ONL22.1	74 R4	Wainui - Upper Slopes and Ridgeline – Pūwaitaha / Saddle Hill	Upper slopes and ridgelines including Pūwaitaha / Saddle Hill
ONL22.2	R4, R8	Wainui - Upper Slopes and Ridgeline - Pūwaitaha/Saddle Hill to Tuhiraki / Bossu Peak	Upper slopes and ridgelines from Pūwaitaha / Saddle Hill to Tuhiraki/Bossu Peak
ONL22.3	R8	Wainui - Ōhinepaka Bay – Southern Cliffs	Southern coastal slopes of Ōhinepaka Bay
ONL23.0	R8, R9	Timutimu Head	Coastal cliffs and slopes from Ōhinepaka Bay to Timutimu Head

ID Number	Planning Map Number	Name and/or location by Character Area	Description
ONL24.1	R8	Poranui ki Timutimu / Southern Bays - Peraki - Rora Huruhuru / Squally Bay	Coastal cliffs and slopes above Rora Huruhuru/Squally Bay
ONL24.2	R4, R8	Poranui ki Timutimu / Southern Bays - - Peraki - Upper slopes and Summit – Tuhiraki ki Pūwaitaha	Upper slopes, spurs and ridgelines
ONL25.1	R4, R8, 78	Ōkute / Okuti Valley – Wairewa / Lake Forsyth - Cliffs – Ōtungakau ki Te Oka	Slopes adjacent to the outlet of Wairewa/Lake Forsyth
ONL25.2	R4	Ōkute / Okuti Valley – Summits – Pūwaitaha ki Puha	Upper slopes and ridgeline, including Pūwaitaha / Saddle Hill and Puha / French Hill
ONL26.0	R4, 67	Wairewa / Lake Forsyth and Little River - Summits – Puha ki Waipuna	Upper slopes and ridgeline, including Puha / French Hill and Waipuna saddle
ONL28.1	R1, R3, R4	Kaituna Valley - Summits – Te Ahu Pātiki	Upper slopes associated with the ridgeline and Te Ahu Pātiki / Mt Herbert
ONL28.2	R3	Kaituna Valley - Western Summit	Knob along western ridgeline
ONL29.1	R1	McQueens Valley - Tara o te Rangihikaia / Gebbies Pass – North	Rocky crags along the ridgeline
ONL29.2	R1	McQueens Valley - Tara o te Rangihikaia / Gebbies Pass – South-east Upper	Rocky crags along the ridgeline
ONL29.3	R1	McQueens Valley - Tara o te Rangihikaia / Gebbies Pass – South	Rocky outcrops
ONL30.0	R3	Te Waihora / Lake Ellesmere - Riparian Margin	Te Waihora / Lake Ellesmere Riparian Margin around Motumotua / Kaituna Lagoon
ONL38.1	48, 53, 54, R1	Port Hills / Ngā Kohatu Whakarakaraka o Tamatea Pōkai Whenua - Coast Awaroa / Godley Head	Godley Head and coastal cliffs
ONL38.2	46, 47, 48, 51, 52, 53, 57, R1	Port Hills / Ngā Kohatu Whakarakaraka o Tamatea Pōkai Whenua – Eastern	Central Port Hills
ONL38.3	50, 51, 56, 57, R1	Port Hills / Ngā Kohatu Whakarakaraka o Tamatea Pōkai Whenua - Western	Mid to upper slopes of Western Port Hills

Appendix 9.2.9.2.3 Schedule of Significant features

ID Number	Planning Map Number	Name and/or location by Character Area	Description
SF10.0	37 38 39 40 44 45 46 47	Heathcote River / Opawaho Mouth	Ferry Road to Nga Puna Wai, Dry Stream and Kahurangi Drainage Reserve
SF2.0	4 5 10 11 12 17 18	Otukaikino Creek	Open Space water and margins
SF3.0	2 6 12 13 18 19	Styx River / Puharakekenui	Open Space water and margins
SF4.0	18	Styx Mill Reserve	Styx Mill Reserve and associated open space
SF5.0	15 16 21 22	West Melton Dry Plains / Okakea	Dry grasslands and reserves
SF6.0	6 13 20 26 27 34	Christchurch Coast / Te Tai o Mahaanui	Foreshore and dunes between Brooklands Lagoon and South Brighton.
SF7.0	25 26	Waikakariki / Horseshoe Lake	Wetland and associated open space
SF8.1	26 32 33 34	Otakaro / Avon River - East	Open Space water and margins north of Pages Road to Fitzgerald Ave
SF8.2	31 32 38 39	Otakaro / Avon River – City Centre	Open Space water and margins
SF8.3	23 24 30 31	Otakaro / Avon River - Wairarapa Stream, Waimairi Stream, Orakipaoa Stream	Open Space water and margins Refer to Figure 1 below for aerial photograph showing the extent of SF8.3 in the grounds of the University of Canterbury, Ilam.
SF9.1	40	Te Ihutai / Avon-Heathcote Estuary – West	Section bordered by Charlesworth Street and Humphreys Drive
SF9.2	40 41 47 48	Te Ihutai / Avon-Heathcote Estuary – South	Section bordered by McCormacks Bay Road and Main Road.

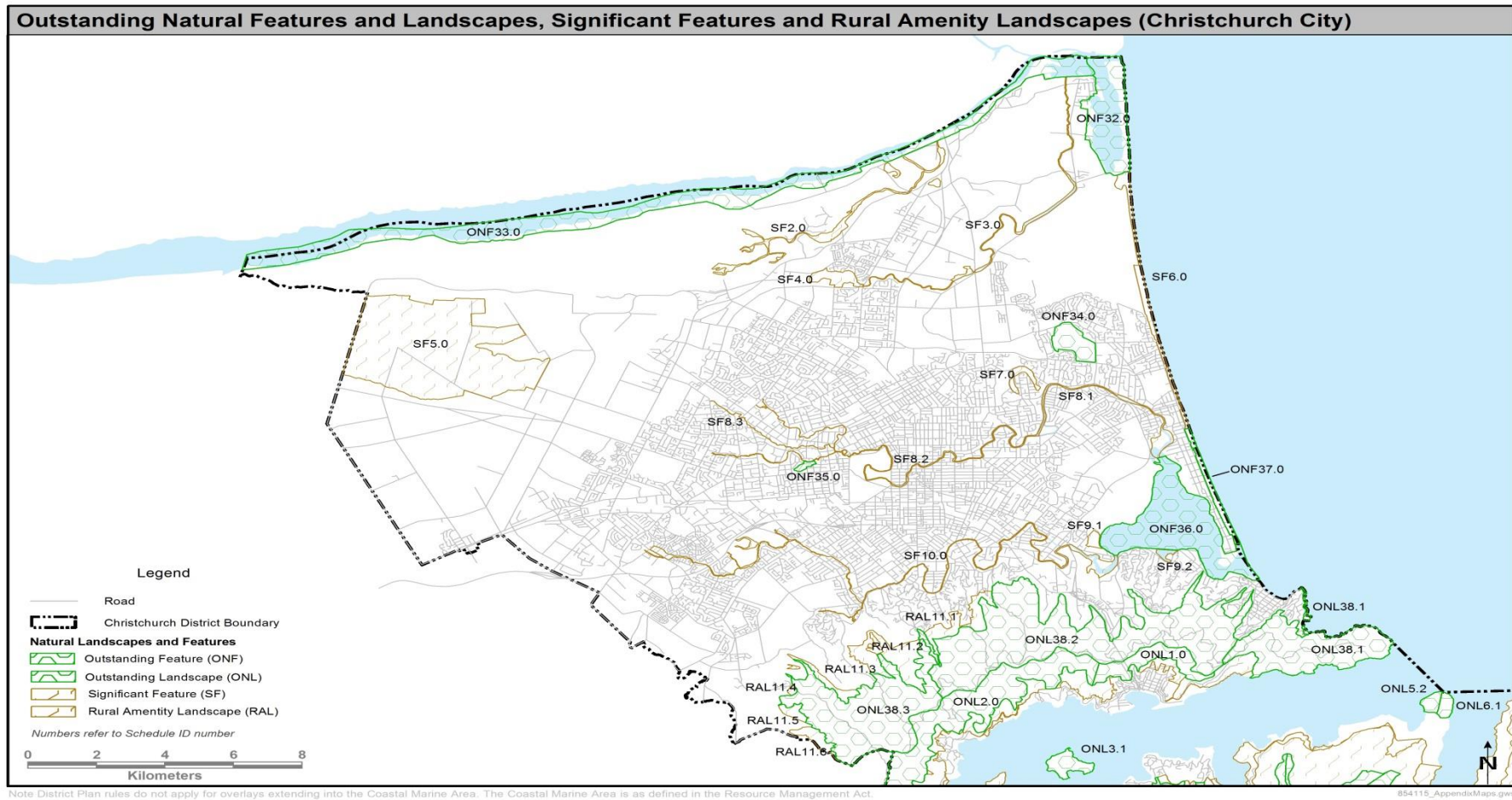
Figure 1: Aerial Photograph showing extent of Significant Feature 8.3 Otakaro / Avon River in the grounds of University of Canterbury, Ilam



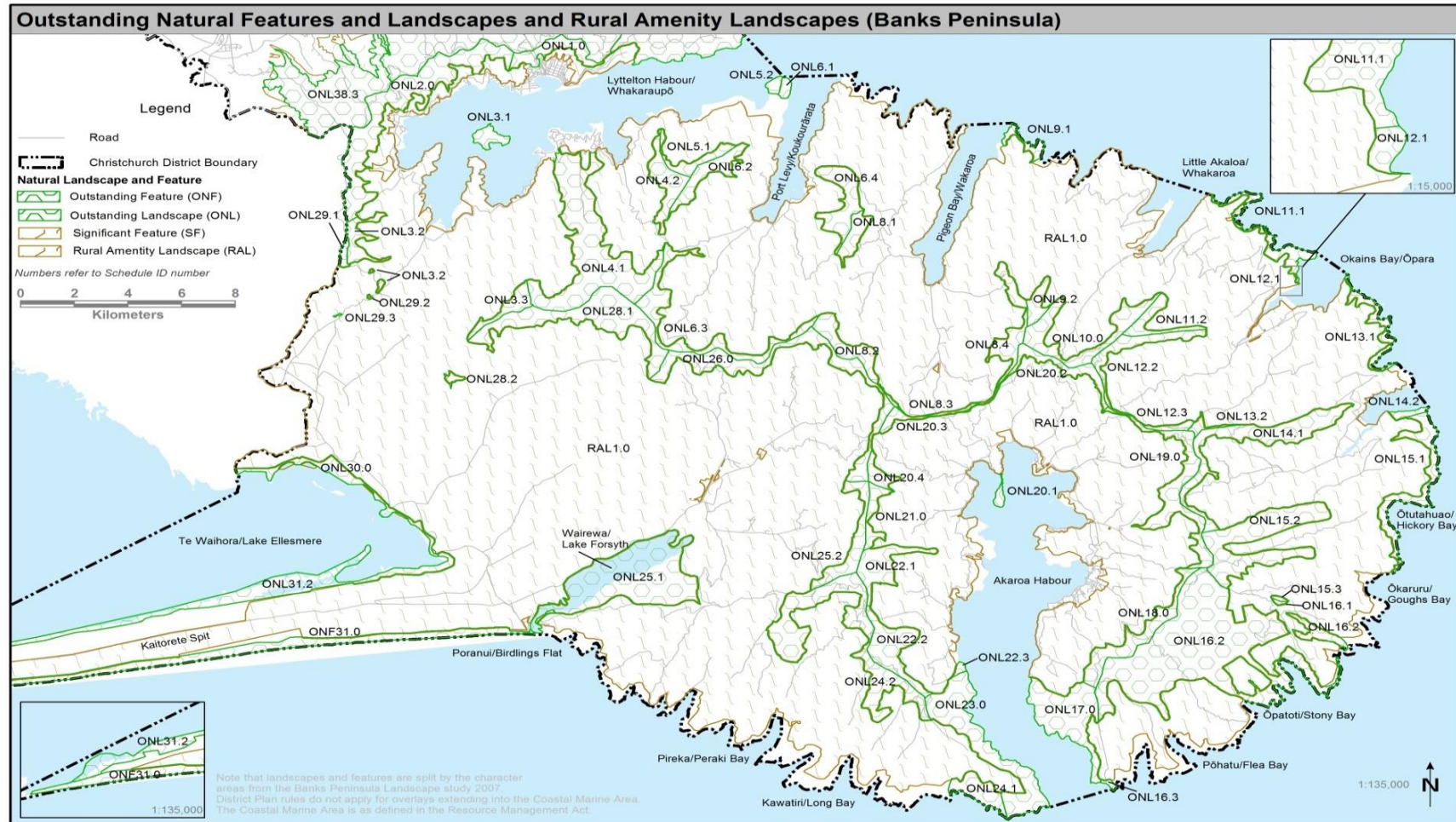
Appendix 9.2.9.2.4 Schedule of Rural amenity landscapes

ID Number	Planning Map Number	Name and/or location by Character Area	Description
RAL 1.0	All Banks Peninsula Planning Maps	Te Pataka o Rakaihautu / Banks Peninsula Significant Landscape	Areas on Banks Peninsula including Rural Banks Peninsula, Open Space Natural and Pāpakainga / Kāinga Nohoanga Zones that are not identified as outstanding natural features or outstanding natural landscapes.
RAL 11.1	46 51 R1	Port Hills Eastern / Nga Kohatu Whakarakaraka o Tamatea Pokai Whenua - Rapaki to Cashmere	Mid to lower slopes Rapaki to Cashmere
RAL 11.2	50 51 R1	Port Hills / Nga Kohatu Whakarakaraka o Tamatea Pokai Whenua - Western Worsley's Spur	Mid to lower slopes Worsley's Spur
RAL 11.3	R1 50 56	Port Hills Western / Nga Kohatu Whakarakaraka o Tamatea Pokai Whenua – Cashmere Stream	Mid to lower slopes Cashmere Stream
RAL11.4	50	Port Hills Western / Nga Kohatu Whakarakaraka o Tamatea Pokai Whenua – Kennedy's Bush Spur	Mid to lower slopes Kennedy's Bush Spur
RAL 11.5	56	Port Hills Western Nga Kohatu Whakarakaraka o Tamatea Pokai Whenua – Lansdowne Valley North	Mid to lower slopes Lansdowne Valley North
RAL11.6	56 R1	Port Hills Western / Nga Kohatu Whakarakaraka o Tamatea Pokai Whenua – Lansdowne Valley South	Mid to lower slopes Lansdowne Valley South

Appendix 9.2.9.2.5 Schedule reference map - Outstanding natural landscapes and features, Significant features and Rural amenity landscapes (Christchurch City)



Natural and Cultural Heritage (Part) — Topic 9.2



Appendix 9.2.9.2.7 Schedule of Areas of outstanding natural character in the coastal environment

ID Number	Planning Map Number	Name and/or Location by Character Area	Description
ONC11.2	R2	Panau / Long Lookout Point - Raupo Bay - Stony Beach – North West Bay Coastal slopes	Western headland of Okains Bay
ONC15.2	R5 72	Otutahuao / Hickory- Okaruru / Goughs Bay – Steep Head Southern Gully	Gully on the southern side of Steep Head
ONC16.2	R9	Hinewai East - Clay Point to Red Bluff – Nga-toko-ono	Coastal slopes, headlands and bays
ONC16.3	R9	Hinewai South-east - Sleepy Bay – Parakakariki	Coastal slopes, headlands and bays
ONC16.4	R9	Hinewai South - Redcliffe Point to Pohatu – Coastal Cliffs	Coastal slopes, headlands and bays
ONC16.5	R9	Hinewai South - Dyke Head to Damons Bay – Paekaroro ki Manga-rohotu	Coastal cliffs from Dyke Head, including Paekaroro pa to Manga-rohotu / Damons Bay
ONC17.2	R9	Te Ruahine / Akaroa Head / Te Rauhinu Point - South	South and west facing steep coastal slopes
ONC24.2	R8	Poranui ki Timutimu / Southern Bays - Peraki - South-east – Oanuku / Robinhood Bay	Coastal cliffs and Oanuku / Robinhood Bay foreshore
ONC24.3	R8	Poranui ki Timutimu / Southern Bays - Peraki – South-west – Te Kaio / Tumbledown Bay	Coastal cliffs and Te Kaio / Tumbledown Bay foreshore
ONC30.0	R3	Te Waihora / Lake Ellesmere - Riparian Margin	Te Waihora / Lake Ellesmere Riparian Margin around Motumotuao / Kaituna Lagoon
ONC31.2	R3 R6 R7 R8 78	Kaitorete Spit - Birdlings Flat / Poranui and Te Waihora / Lake Ellesmere – Coastal Dunes and Margins	Coastal dunes and foreshore, Te Waihora margins
ONC32.0	2 6	Brooklands Lagoon & Spit / Te Riu o Te Aika Kawa	Brooklands Lagoon and margins

Appendix 9.2.9.2.8 Schedule of Areas of high (and very high) natural character in the coastal environment

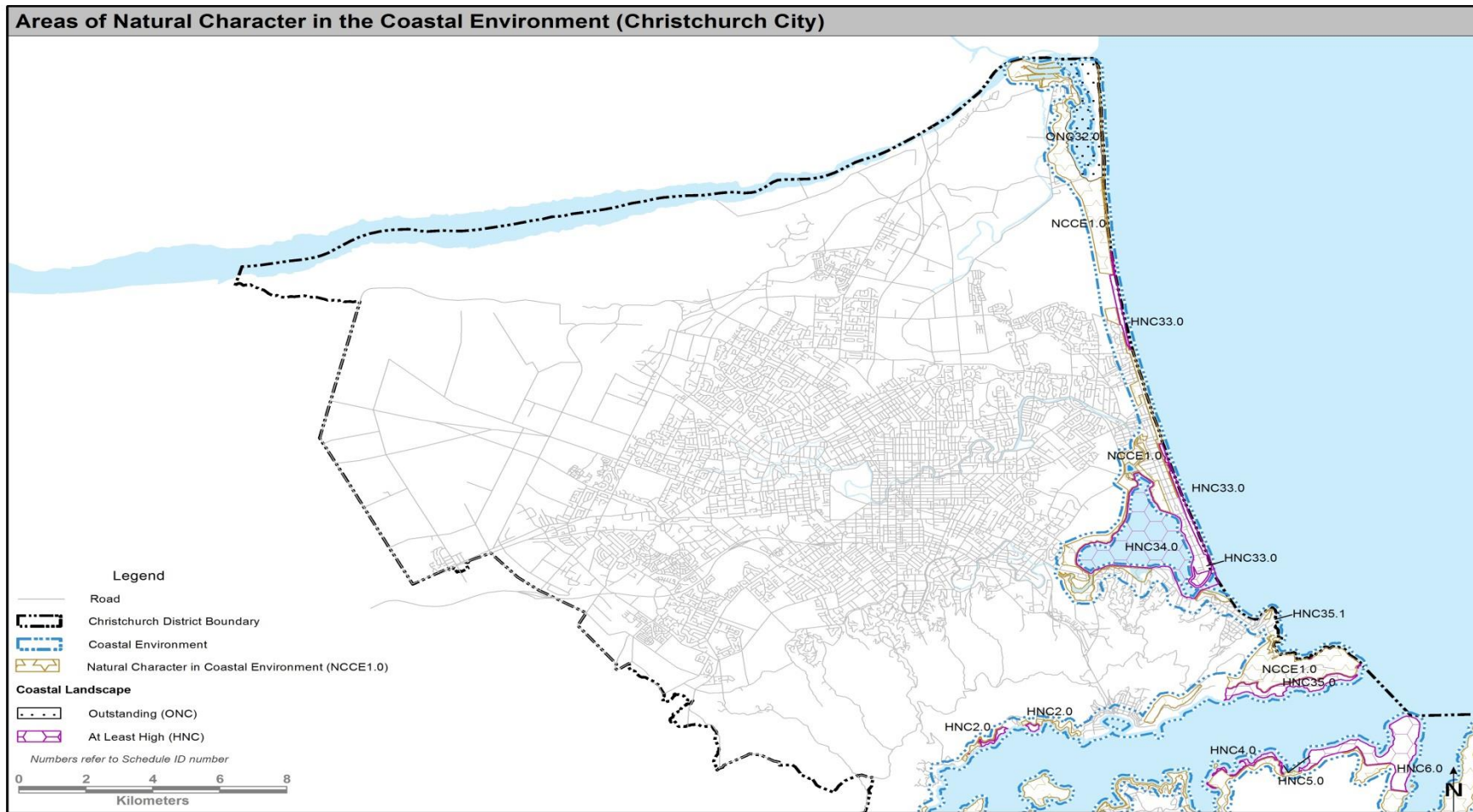
ID Number	Planning Map Number	Name and/or location by Character Area	Description
HNC2.0	R1 57 58	Rapaki – Ohinetahi / Governors Bay Coastline – Taukahara and Otuherekio	Coastal areas between Rapaki and Ohinetahi / Governors Bay on the northern side of Lyttelton Harbour below the main road, including Taukahara and Otuherekio.
HNC3.0	R1	Whakaraupo / Upper Lyttelton Harbour - Teddington	Head of Lyttelton Harbour / Whakaraupo
HNC4.0	R1 59	Waipapa / Diamond Harbour - Inaina-tu/Pile Bay (Shelley Bay)	Coastal slopes and foreshore Inaina-tu / Pile Bay (Shelley Bay)
HNC5.0	R1 54 59	Te Piaka / Adderley Head - Te Pohue / Camp Bay to Te Piaka / Adderley Head - West	Coastal slopes and foreshore from Te Pohue / Camp Bay to Te Piaka / Adderley Head
HNC6.0	R1 54	Port Levy / Koukourarata - Te Piaka / Adderley Head East to Pukerauaruhe / Browns Island	Coastal cliffs and foreshore from Te Piaka / Adderley Head to Pukerauaruhe / Browns Island
HNC7.0	R1 R2	Big Bay – Te Ruahine ki Wakaroa	Coastal margin and lower slopes
HNC9.1	R2	Kirikiriwarea / Menzies Bay - West – Wakaroa/Pigeon Bay to Kirikiriwarea / Menzies Bay	Coastal headland and lower slopes from the eastern head of Wakaroa / Pigeon Bay to the Western head of Kirikiriwarea / Menzies Bay
HNC9.2	R2	Kirikiriwarea / Menzies Bay - East - Te Kakaho / Decanter Bay	Coastal headland and lower slopes on eastern side of Te Kakaho / Decanter Bay
HNC10.0	R2 66	Little Akaloa / Whakaroa – Western Slopes	Coastal slopes on the Western side of Little Akaloa Bay
HNC11.1	R2	Panau / Long Lookout Point - Raupo Bay - Stony Beach - Coastline	Headlands and lower slopes from Panau / Long Lookout Point to Opara / Okains Bay
HNC12.0	R2 R5 68	Okains Bay / Opara - Western Coastline and Estuary	South facing side slopes of Okains Bay / Opara, headland and Estuary
HNC13.0	R2 R5 72	Te Puke ki Waitaha / Pa Island – Whakarari / Lavericks Bay - Coastline	Coastal cliffs, bays and islands

ID Number	Planning Map Number	Name and/or location by Character Area	Description
HNC14.0	R5 72	Le Bons Bay / Otauwao / – Northern and Southern Headlands	Coastal slopes and headlands
HNC15.1	R5 72	Otutahuao / Hickory Bay – Okaruru / Goughs Bay - North	Coastal cliffs, bays and lower coastal slopes
HNC16.1	R5 R9	Hinewai – Coastline – Tititewhao ki Te Ruahine	Coastal cliffs and lower slopes from Tititewhao / Paua Bay to Te Ruahine / Akaroa Head
HNC17.1	R8 R9	Te Ruahine / Akaroa Head / North	West facing steep coastal slopes
HNC18.0	R4 R5 76 77	Akaroa - Takamatua Hill – Te Paua o Mataotao ki Otahuahua	Headland and lower slopes of Takamatua Hill from Te Paua o Mataotao towards Otahuahua / Childrens Bay
HNC19.0	R5 76	Takamatua – Kakakaiau / Robinsons Bay – South – Te Umu Te Rehua/Hammond Point	Headland and lower slopes of Te Umu Te Rehua / Hammond Point
HNC21.0	R4 74	French Farm Bay - Opakia / Petit Carenage	Headland and lower slopes of Opakia / Petit Carenage
HNC22.0	R4 R8 74 75	Wainui - Coastline	Foreshore, lower slopes, headland and islands
HNC23.0	R8 R9	Timutimu Head – Timutimu to Otara / Scenery Nook	Coastal cliffs and lower slopes of Timutimu headland to Otara / Scenery Nook
HNC24.1	R4 R8 78	Peraki - Southern Bays – Poranui ki Timutimu	Headlands, cliffs and bays
HNC31.1	R4 R8 78	Kaitorete Spit – Poranui / Birdlings Flat	Foreshore and coastal cliffs
HNC33.0	6 13 20 26 34 41 48	Christchurch Coast / Te Tai o Mahaanui and South Brighton Spit / Te Korero Karoro	Coastal Dunes and Reserve including Spit
HNC34.0	33 34 40 41 47 48	Te Ihutai / Avon-Heathcote Estuary	Estuary margins
HNC35.0	R1 53 54	Awaroa / Godley Head	Headland and cliffs
HNC35.1	48	Sumner Head to Taylors Mistake Bay	Headland and cliffs

Appendix 9.2.9.2.9 Schedule of Other areas of natural character in the coastal environment

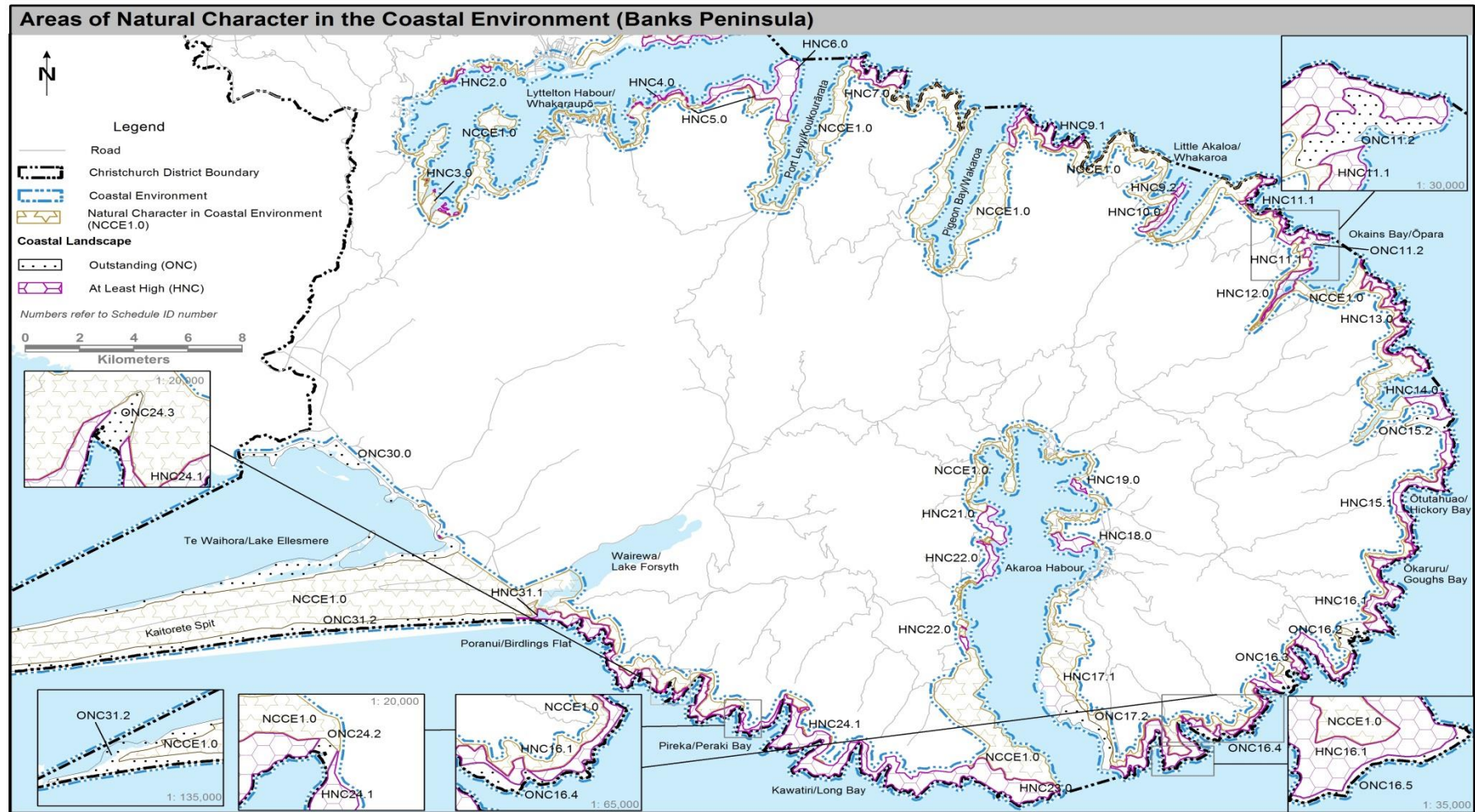
ID Number	Planning Map Number	Name and/or location by Character Area	Description
NCCE 1.0	2, 6, 13, 20, 26, 27, 33, 34, 40, 41, 47, 48, 52, 53, 54, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 70, 71, 72, 73, 74, 75, 76, 77, 78 and R1, R2, R3, R4, R5, R6, R7, R8, R9	Natural Character in the Coastal Environment	Within the coastal environment, areas with natural character that are not identified as areas of high (or very high) natural character or outstanding natural character. Excludes areas zoned for urban purposes.

Appendix 9.2.9.2.10 Schedule reference map - Coastal natural character areas (Christchurch City)



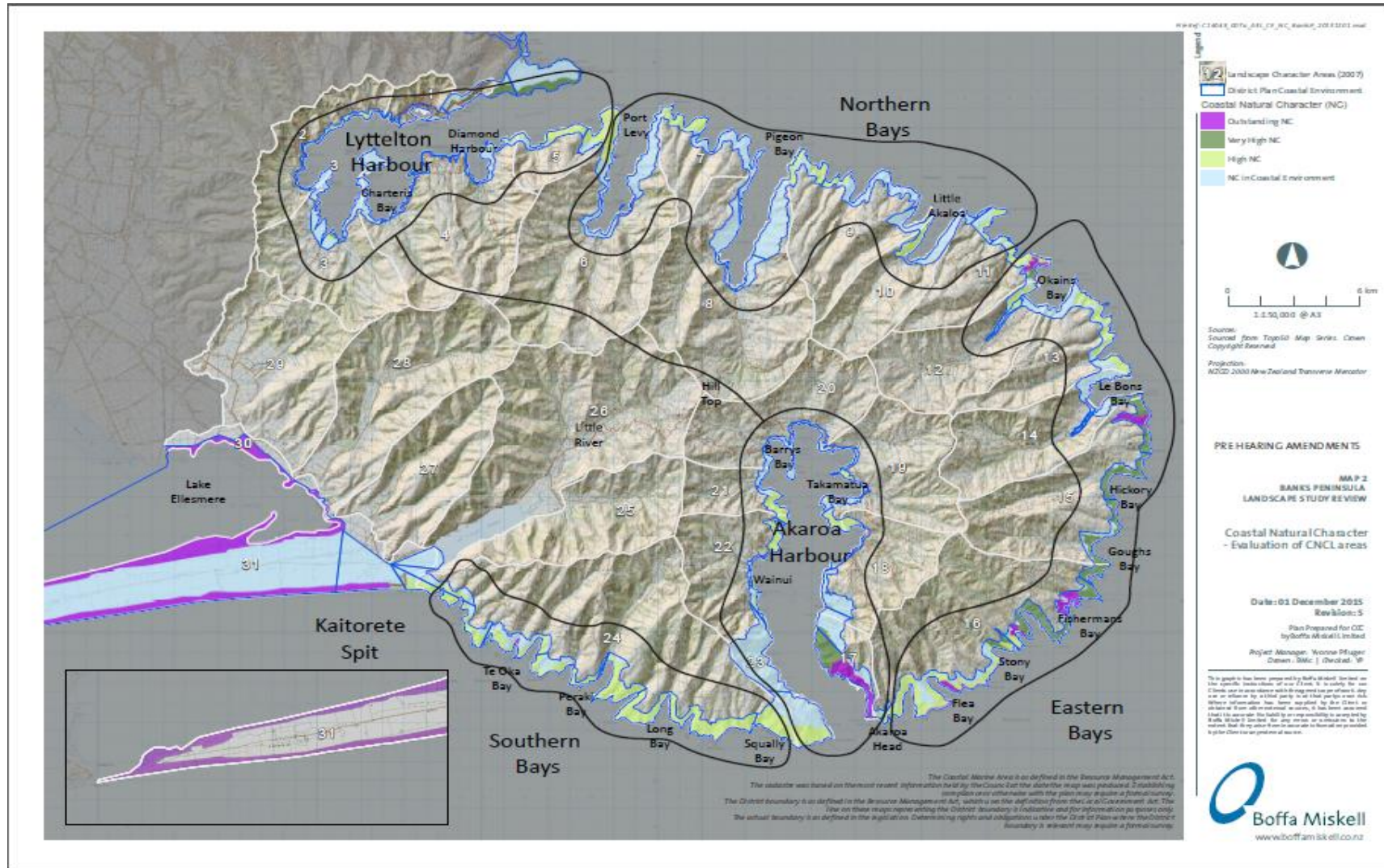
Note District Plan rules do not apply for overlays extending into the Coastal Marine Area. The Coastal Marine Area is as defined in the Resource Management Act.

Appendix 9.2.9.2.11 Schedule reference map - Coastal natural character areas (Banks Peninsula)



Note that landscapes and features are split by the character areas from the Banks Peninsula Landscape study 2007.
District Plan rules do not apply for overlays extending into the Coastal Marine Area. The Coastal Marine Area is as defined in the Resource Management Act.

Appendix 9.2.9.2.12 Map showing the location of the southern, eastern, northern bays and harbour areas described in Appendix 9.2.9.1.5



Chapter 7 Transport

The following amendments are made to Chapter 7 Transport (added text underlined and ~~deleted text struck through~~):

7.3.21 Formation of unformed legal roads

The following are matters of discretion for Rule RD3, Section 7.2.2.2:

1. ...
2. ...
3. ...
4. Any effects on public access to and along the coastal marine area and the adequacy of measures to address adverse effects on public access to and along the coastal marine area.
5. Matters of discretion in Rule 9.6.3.1 Effects of activities on the coastal environment and Rule 9.2.8.3 Natural character in the coastal environment.

~~For vehicle crossings to unformed legal road in the Coastal Environment shown on the Planning maps:~~

- ~~1. The effects of the location, nature, and scale of the formation and use of the road and/or earthworks on the natural character and heritage of the coastal environment.~~
- ~~2. The adequacy of protection, restoration or enhancement of the natural character and historic heritage of the coastal environment.~~
- ~~3. Any effects on public access to and along the coastal marine area.~~
- ~~4. The adequacy of measures to address adverse effects on public access to and along the coastal marine area.~~
- ~~5. The extent to which the nature, scale, intensity and location of the proposal will have effects on the coastal environment taking into account the Coastal Environment objectives and policies 19.1.~~

Chapter 18 Open Space

The following amendments are made to Chapter 18 Open Space (added text underlined):

18.5.2.3 Restricted discretionary activities

...

Activity		The Council's discretion shall be limited to the following matters:
...
RD2	Any activity listed in Rule 18.5.2.1 P4 that does not meet one or more of the activity specific standards.	a. Public amenities - Rule 18.7.6. b. <u>In the Open Space Natural Zone at Riccarton Bush, Outstanding natural features and landscapes - Rule 9.2.8.1.</u>
RD3	Any activity listed in Rules 18.5.2.1 P7, P10 and P11 that does not meet one or more of the activity specific standards.	a. Scale of activity, displacement, multifunctional, non-recreational, community and cultural facilities – Rule 18.7.2. b. <u>In the Open Space Natural Zone at Riccarton Bush, Outstanding natural features and landscapes - Rule 9.2.8.1.</u>
RD4	Any activity listed in Rules 18.5.2.1 P9 and P14 that does not meet one or more of the activity specific standards.	a. Residential activities – Rule 18.7.12. b. <u>In the Open Space Natural Zone at Riccarton Bush, Outstanding natural features and landscapes - Rule 9.2.8.1.</u>

SCHEDULE 2

Counsel appearances

Mr M Conway, Ms M Jagusch, Mr Z Fargher, Ms C Coyle and Mr W Bangma	Christchurch City Council
Mr P Radich QC, Mr C Carranceja and Ms E Moore	Crown
Mr D Pedley	Arts Centre of Christchurch Trust Board
Mr E Chapman and Mr R Webster	Brent Thomas, Willesden Farms Limited, Wongan Hills Limited
Ms P Steven QC	Canterbury Cricket Association Inc
Mr D Pedley	Canterbury Museum Trust Board
Ms M Mehlhopt	Canterbury Regional Council
Ms H Marks	Carter Group Limited
Mr H van der Wal	Ceres NZ The Christchurch Civic Trust and Others The Great Christchurch Building Trust
Mr M Christensen	Christchurch Gondola
Mr J Johnson and Ms L de Latour	Church Property Trustees (Christchurch Cathedral)
Mr T Hughes-Johnson QC	Church Property Trustees (site-specific heritage items)
Mr R Gardner	Federated Farmers of New Zealand
Ms A Limmer	Fulton Hogan Limited Isaac Conservation and Wildlife Trust N&T Tyler
Mr B Burke	Graeme and Joy McVicar

Ms J Appleyard, Mr B Williams
and Ms E Ellis

Greg & Mia Gaba

Tailorspace Property Limited

The Roman Catholic Bishop of the Diocese of
Christchurch

The Roman Catholic Bishop of the Diocese of
Christchurch, Alpine Presbytery and Church Property
Trustees

Ms G Baumann

Heritage New Zealand Pouhere Taonga

Mr A Schulte

Michael Bayley

Mr D van Mierlo, Ms J Walsh
and Mr J Leckie

Ngāi Tahu

Ms M Nichol

Orion New Zealand Limited

Mr H Cuthbert

Rosemary Lyon

Mr P Anderson

Royal Forest and Bird Protection Society of NZ

Ms J Crawford and Ms E Osborne

Silver Fern Farms

Mr G Cleary

The Radford Family

Mr A Beatson and Ms N Garvan

Transpower New Zealand

SCHEDULE 3

Table of submitters

This list has been prepared from the index of appearances recorded in the Transcript, and from the evidence and submitter statements shown on the Independent Hearing Panel's website.

Submitter Name	No.	Person	Expertise or Role of Witness	Filed/Appeared
Christchurch City Council	3723	Dr C Appleton	Ecologist	Filed/Appeared
		P Barnes	Open Space planner	Filed
		H Beaumont	Natural environment and heritage manager	Filed/Appeared
		W Blake	Valuer	Filed/Appeared
		A Crossland	Ornithologist	Filed
		Dr J Fairgray	Economist	Filed/Appeared
		S Ferguson	Planner	Filed/Appeared
		J Gillies	Conservation architect	Filed/Appeared
		R Graham	Arborist	Filed/Appeared
		D Hogan	Planner	Filed/Appeared
		Dr S Hooson	Ecologist	Filed/Appeared
		S Jenkin	Planner	Filed/Appeared
		A Long	Planner	Filed/Appeared
		Dr B Margetts	Waterway ecologist	Filed
		A Marriott	Heritage engineer	Filed/Appeared
		A Matheson	Planner	Filed/Appeared
		J May	Architectural historian	Filed/Appeared
		Dr A McEwan	Heritage	Filed/Appeared
		J Moore	Landscape architect	Filed
		A Ohs	Heritage advisor	Filed/Appeared
		Dr T Partridge	Botanist	Filed
		C Pauling	Planner	Filed/Appeared
		Y Pflüger	Landscape architect	Filed/Appeared
		C Rachlin	Planner	Filed/Appeared
		E Sard	Arborist	Filed
		Dr A Shadbolt	Landscape architect/ecologist	Filed/Appeared
		G Stanley	Quantity surveyor	Filed/Appeared
		M Stevenson	Planner	Filed/Appeared
		F Wykes	Heritage advisor	Filed/Appeared
Crown	3721	I Bowman	Conservation architect	Filed/Appeared
		A Cameron	Planner	Filed/Appeared
		J Cumberpatch	Earthquake recovery	Filed/Appeared

Submitter Name	No.	Person	Expertise or Role of Witness	Filed/Appeared
		N Head	Terrestrial ecologist	Filed/Appeared
		S McIntyre	Planner	Filed/Appeared
		P Rough	Landscape architect	Filed/Appeared
		A Spencer	Ecologist	Filed/Appeared
Chris Abbott	904	C Abbott		Filed
Sarah Harnett	3018	S Harnett		Appeared
Kathleen Clinton	3039	K Clinton		Appeared
Maree & Chris Johnston	3045	C & M Johnston		Filed/Appeared
Diamond Harbour Community Association	3090	R Suggate		Appeared
Christs College	3212	C Sweetman		Appeared
Faye and Ron Sedgley	3215	J Rea		Filed/Appeared
Barbara Stewart	3270	Barbara, Lady Stewart		Filed/Appeared
The Arts Centre of Christchurch Trust Board	3275	A Lovatt		Filed/Appeared
		D Pearson	Conservation architect	Filed/Appeared
		G Taylor	Planner	Filed/Appeared
Restore Christchurch Cathedral Group Inc	3279	D Collins		Appeared
		Prof I Lochhead	Architectural historian	Filed/Appeared
Tapper Family Trust	3284	HJ Tapper		Filed
Michael Bayley	3285	M Bayley		Filed/Appeared
Te Wharau Investments Limited	3290	J May	Architectural historian	Filed
Brian Hutchinson	3293	B Hutchison	Farmer	Filed/Appeared
Ceres New Zealand Limited	3334	B de Vere		Filed
Girl Guiding New Zealand	3346	K Hilton		Filed
Canterbury Museum Trust Board	3351	J May	Architectural historian	Filed/Appeared
		G Taylor	Planner	Filed/Appeared
		A Wright		Filed/Appeared
Martin Stanbury	3381	M Stanbury		Appeared
Richard Schneideman Investment Trust	3397	D Morel	Construction	Filed
		R Schneideman		Filed
"The Utilities Group"	Variou s	M McCallum-Clark	Planner	Filed
Mark Belton	3410	M Belton		Filed/Appeared
College House	3420	A Bruce	Architect	Filed/Appeared
Rod Donald Banks Peninsula Trust	3469	J Cook		Filed/Appeared
		K Thompson		Filed/Appeared
Fulton Hogan Limited	3482	D Chrystal	Planner	Filed/Appeared
		S Miller	Arborist	Filed
		Dr J Roper-Lindsay	Ecologist	Filed/Appeared
Transpower New Zealand Limited	3494	A McLeod	Planner	Filed/Appeared

Submitter Name	No.	Person	Expertise or Role of Witness	Filed/Appeared
Taylors Mistake Association	3525	D Hill		Filed
The Great Christchurch Buildings Trust	3558	H Anderton		Filed/Appeared
		Prof I Lochhead	Architectural historian	Filed/Appeared
David Brailsford & Jan Cook	3596	J Cook		Filed/Appeared
John Thornton	3600	J Thornton	Arborist	Filed/Appeared
Rik Tindall on behalf of Cashmere Residents' Association	3601	R Tindall		Filed/Appeared
Carter Group Limited	3602	P Carter		Filed/Appeared
		J May	Architectural historian	Filed
		J Phillips	Planner	Filed/Appeared
Church Property Trustees	3610	D Doherr	Quantity surveyor	Filed/Appeared
		H Hare	Engineer	Filed/Appeared
		G Holley		Filed
Graeme and Joy McVicar	3613	J Head	Landscape architect	Filed
Royal Forest & Bird Protection Society of New Zealand Inc	3614	M Davis	Ecologist	Filed/Appeared
The Isaac Conservation & Wildlife Trust	3616	B Rule		Filed/Appeared
		K Seaton	Planner	Filed/Appeared
The Radford Family	3622	F Aston	Planner	Filed/Appeared
Rosemary Lyon	3625	R Lyon		Filed/Appeared
Akaroa Civic Trust	3627	J Cook		Filed/Appeared
		Dr J Wilson	Historian	Filed/Appeared
Walter Fielding-Cotterell	3628	W Fielding-Cotterell	Arborist	Filed/Appeared
Canterbury Regional Council	3629	A Parrish	Planner	Filed/Appeared
Riccarton/Wigram Community Board	3637	M Mora		Appeared
Greg & Mia Gaba	3639	M Bonis	Planner	Filed/Appeared
		B Gilmore	Engineer	Filed/Appeared
Lindsay Carswell	3641	WL Carswell		Filed
Michael Ostash	3661	M Ostash	Arborist	Filed/Appeared
The Spreydon/Heathcote Community Board	3664	P McMahon		Appeared
Suky Thompson	3665	KS Thompson		Filed/Appeared
The Roman Catholic Bishop of the Diocese of Chch and Alpine Presbytery, Church Property Trustees	3670	W Clark	Engineer	Filed/Appeared
		B Nixon	Planner	Filed/Appeared
		R Hardy	Planner	Filed/Appeared
		L Kimberley		Filed
		D Pearson	Conservation architect	Filed/Appeared
		S Price		Filed/Appeared
		M Copeland	Economist	Filed/Appeared
The Elmwood Club	3682	M Gow		Appeared

Submitter Name	No.	Person	Expertise or Role of Witness	Filed/Appeared
The Roman Catholic Bishop of the Diocese of Christchurch	3692	K Beal		Filed/Appeared
		M Halliday	Engineer	Filed/Appeared
		C Kerrigan	Archaeologist	Filed
		J Mace	Quantity surveyor	Filed/Appeared
The University of Canterbury Canterbury Polytechnic Institute of Technology	3694 3274	P Lemon	Planner	Filed
Brent Thomas, Willesden Farms Ltd, Wangan Hills Limited	3698	B Thomas	Planner	Filed/Appeared
Christchurch Civic Trust Inc	3700	B Cadwallader	Arborist	Filed/Appeared
		H Lowe	Planner	Filed/Appeared
		D Lucas	Landscape architect	Filed/Appeared
		M Belton		Filed/Appeared
Eliot Sinclair and Partners Ltd	3701	W Haynes		Appeared
		C McKeever	Planner	Filed/Appeared
Federated Farmers of New Zealand	3702	E Aitken		Filed
		C Chamberlain		Appeared
		H & A Crow		Filed/Appeared
		F Helps		Filed/Appeared
		P Helps		Filed/Appeared
		F Mackenzie		Filed/Appeared
		RM Manson		Filed/Appeared
		K Reilly		Filed/Appeared
		P & I Richardson		Filed/Appeared
The Tait Foundation and Tait Limited	3707	D Cawte	Heritage	Filed
		K Morrison	Lawyer	Filed
		C Patient		Filed
		G Sellars	Valuer	Filed
		D Wade		Filed
Hands off Hagley Inc.	3711	S Williams		Filed/Appeared
Silver Fern Farms	3712	F Aston	Planner	Filed/Appeared
Lyttelton/Mt Herbert Community Board	3716	P Smith		Appeared
Tailorspace Property Limited	3718	S Ansley	Valuer	Filed/Appeared
		C Armitage	Corporate finance	Filed/Appeared
		M Bonis	Planner	Filed/Appeared
		M Copeland	Economist	Filed/Appeared
		C Oldfield	Engineer	Filed/Appeared
		K Pomeroy	Quantity surveyor	Filed/Appeared
		GW Taylor		Filed/Appeared
		B Vincent		Filed

Submitter Name	No.	Person	Expertise or Role of Witness	Filed/Appeared
Orion New Zealand Limited	3720	A Craig	Landscape architect	Filed
		C Kelly	Architect	Filed
		P Lemon	Planner	Filed
		S Watson	Engineer and asset manager	Filed
Te Rūnanga o Ngāi Tahu	3722	I Cranwell	Cultural (Ngāi Tahu)	Filed
		M Dale	Freshwater ecologist	Filed
		K Davis	Environmental advisor	Filed/Appeared
		Y Legarth	Planner	Filed/Appeared
		L Murchison	Planner	Filed/Appeared
		T Stevens	Planner	Filed/Appeared
		G Tikao	Cultural (Ngāi Tahu)	Filed/Appeared
Christian Jordan	3955	C Jordan		Filed/Appeared
Malcolm Hattaway and Keri Whitiri	3963	K Whitiri and M Hattaway		Appeared
Annette Wilkes and Diana Madgin	3974	A Wilkes		Filed/Appeared
Penny Hargreaves	3979	P Hargreaves		Appeared
The Christchurch Gondola Limited	4000	N Smetham	Landscape architect	Filed
Penny Wenlock	4002	P Wenlock		Appeared
Heritage New Zealand	5029	R Burgess	Heritage advisor	Filed/Appeared
		D Margetts	Heritage architect	Filed/Appeared
		M Vincent	Heritage planner	Filed/Appeared
Errol Hadfield	5076	E Hadfield		Filed/Appeared
Llewyn Davis	5078	L Davis		Appeared
Boltbox Limited	5080	S Newby		Appeared
Raymond Winter	5082	R Winter		Appeared