

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 decision: 4 November 2016

Hearing Panel: Hon Sir John Hansen (Chair), Ms Sarah Dawson, Mr Alec Neill, Mr Gerard Willis

Decision 54 – Rural

Decision as to Planning Maps – Balance Areas in Hendersons Basin

[1] The Hearing Panel has received a memorandum which seeks to clarify the Hearing Panel’s position in relation to land that was notified as Residential New Neighbourhood (‘RNN’), but was subsequently reduced in size due to its location in a flood ponding management area in Hendersons Basin.¹

[2] The Council lodged a submission² on the relocation of the boundaries of the residential land, seeking the following:

¹ Memorandum of counsel for Christchurch City Council filing Planning Maps for Decision 29, 25 August 2016.
² 2123.314.

Amend the planning maps to zone all areas located within the 200 year flood ponding area as notified under Stage 1 Natural Hazards as Rural Urban Fringe – refer to Attachment 9.

[3] A map showing the amended area was included with the submission as attachment 9.

[4] We could not find that this specific submission point was directly addressed in evidence by the Council for the RNN hearing or in the Rural hearing. However flooding matters were covered in relation to a number of RNN zone requests by Mr Brian Norton for the Council. Those included Cashmere Fields and Cashmere Park Trust, who were the only further submitters³ on the Council’s submission point. The RNN Hearing Panel heard from those submitters and addressed their submissions on Hendersons Basin in its decision.⁴

[5] Following the RNN Hearing, the Council submitted revised RNN Zone boundaries to align with the Hendersons Outline Development Plan in its Revised Version. The Hendersons Outline Development Plan also formed part of the Hearing Panel’s decision on the Residential New Neighbourhood proposal in Decision 29.⁵ Neither the Residential New Neighbourhood Hearing Panel, nor the Rural Hearing Panel, specified the zone for the “balance land”, that area shown as RuUF in Appendix A of the Council’s memorandum. Nor was this shown in maps for either the Rural hearing or the RNN hearing.

[6] The Council has requested that we make a decision on the balance land, to confirm it as Rural Urban Fringe Zone. We agree that a decision on this matter is required.

DECISION

[7] The Hearing Panel on the RNN proposal considered the revised Hendersons Outline Development Plan, and it formed part of Decision 29. It confirmed the zoning of land as RNN as proposed in the Revised Version (subject to modifications made by that decision).⁶

[8] We have considered the specific submission point of the Council (2123.314), and related further submissions. This decision confirms that the “balance land” identified in the Council’s

³ FS2727.4 and FS2728.3

⁴ Decision 29 Residential New Neighbourhood Zone and correction to Decision 11 concerning Wigram Park, 15 July 2016 at [75]-[82].

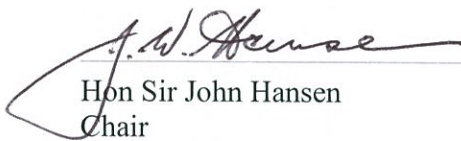
⁵ Decision 29 at [84].

⁶ Decision 29 at [189].

memorandum, and as sought in its submission, is more appropriately zoned Rural Urban Fringe, due to the presence of the Flood Ponding Management Area over the subject land. This is also consistent with the zoning of the adjoining rural land.

[9] We direct that the Planning Maps be updated to reflect that decision, as set out in Schedule 1 to this decision.

For the Hearings Panel:



Hon Sir John Hansen
Chair



Ms Sarah Dawson
Panel Member



Mr Gerard Willis
Panel Member

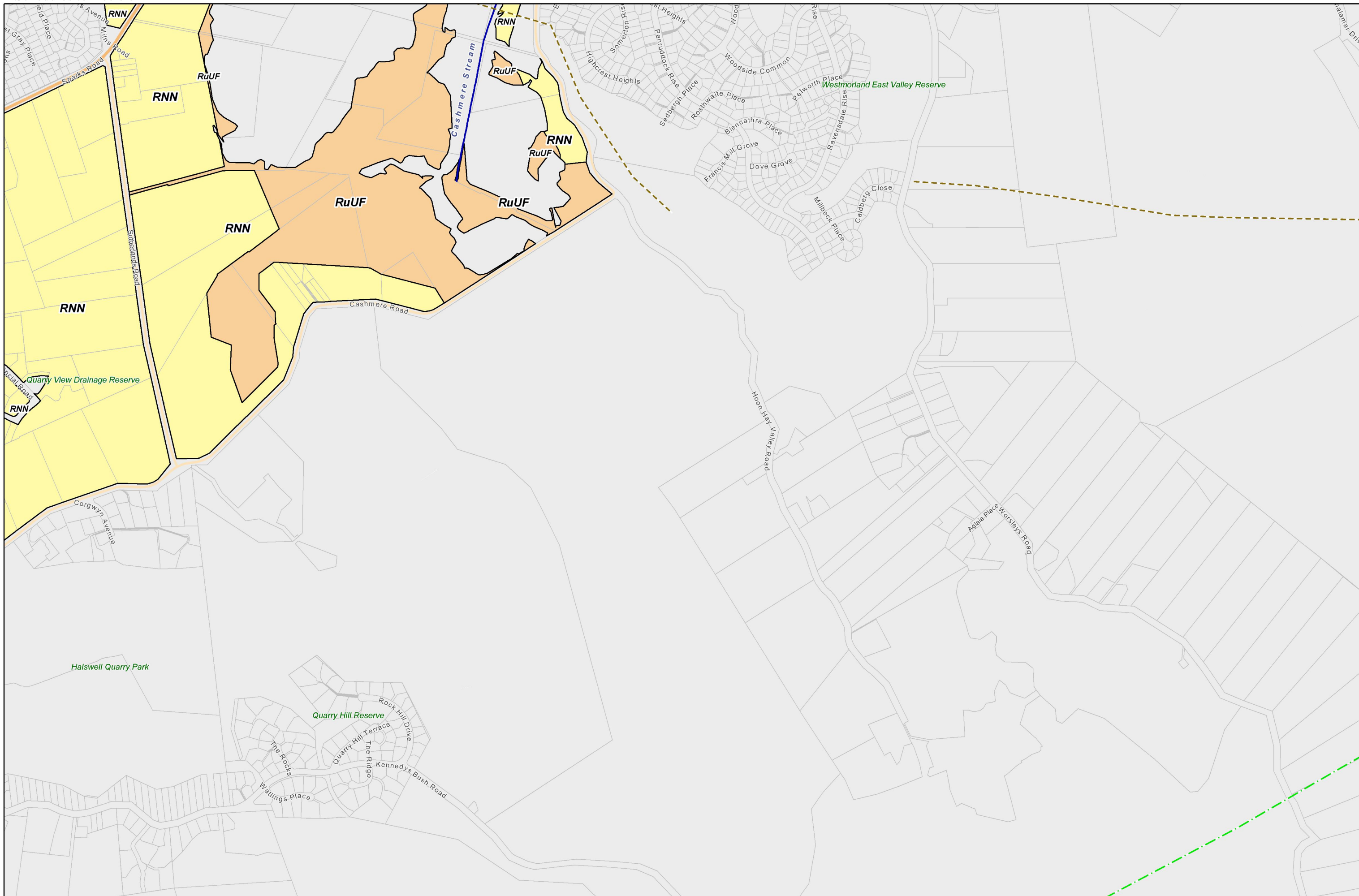


Mr Alec Neill
Panel Member

SCHEDULE 1

Planning Maps to be amended as set out below to zone areas at Hendersons Basin as Rural Urban Fringe





LEGEND BELOW

44	45	46
49	50	51
55	56	57