

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: 17 October 2017

Hearing Panel: Sir John Hansen (Chair) Environment Judge John Hassan (Deputy Chair), Ms Sarah Dawson, Ms Jane Huria, Mr Stephen Daysh

**FURTHER MINOR CORRECTIONS TO PLANNING MAPS RELATING TO
TRANSPORT ZONE IN RESPONSE TO MEMORANDUM OF 10 OCTOBER 2017**

Outcomes: Proposals changed as set out in Schedule 1

Background

[1] Counsel for Christchurch City Council ('the Council') filed a memorandum on 10 October 2017 setting out a number of amendments to the Transport Zone shown on the Planning Maps ('memorandum').¹ We attach the Council's memorandum in Schedule 1.

[2] The memorandum is described as being 'supplementary' to an earlier memorandum filed by the Council on 19 May 2017 that had requested similar corrections to the Planning Maps to remove the Transport Zone in circumstances where the Council's mapping had incorrectly shown a number of private accessways, driveways, and waterways as Transport Zone. We accepted the corrections as set out in the Council's 19 May 2017 memorandum as being appropriate and confirmed the changes in our Further Minor Correction Decision of 19 June 2017 and we approved similar additional changes in our Further Minor Corrections Decision of 22 June 2017.² The amendments are set out in Appendix 1 to the Council's memorandum. The memorandum also requests two minor changes that will provide greater clarity as to the applicable zonings affecting bridges over waterways. Those changes are set out in Appendix 2 to the Council's memorandum.

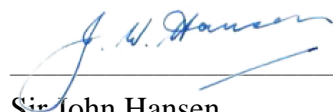
[3] The Council has indicated that the zone changes in the memorandum are being provided to us as 'information only', however, the changes requested in the Council's memorandum are additional corrections, albeit of the same types, to those earlier approved. Therefore, they require approval from the Panel as a minor correction.

[4] We find that the changes are appropriate for the reasons set out in the Council's memorandum and are consistent with our earlier Corrections Decisions. We direct the Council to make the corrections to the Planning Maps as set out in Schedule 1.


¹ Supplementary Memorandum of Counsel for Christchurch City Council Advising Panel of Amendments to Planning Maps Relating to Transport Zone, 10 October 2017.

² Further Minor Corrections to Chapters and Planning Maps, 19 June 2017 and Further Minor Corrections to Decisions and Planning Maps, 22 June 2017.

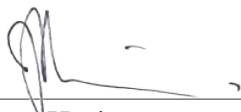
For the Hearings Panel:

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Sir John Hansen
Chair

A blue ink signature of Environment Judge John Hassan, written in a cursive style, positioned above a horizontal line.

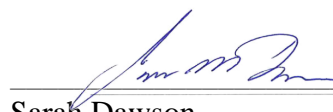
Environment Judge John Hassan
Deputy Chair

A blue ink signature of Jane Huria, written in a cursive style, positioned above a horizontal line.

Jane Huria
Panel Member

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Stephen Daysh
Panel Member

A blue ink signature of Sarah Dawson, written in a cursive style, positioned above a horizontal line.

Sarah Dawson
Panel Member

Schedule 1

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

IN THE MATTER

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

AND

IN THE MATTER

of the Christchurch
Replacement District
Plan

**SUPPLEMENTARY MEMORANDUM OF COUNSEL FOR CHRISTCHURCH CITY
COUNCIL ADVISING PANEL OF AMENDMENTS TO PLANNING MAPS RELATING
TO TRANSPORT ZONE**

10 October 2017

 **Simpson Grierson**
Barristers & Solicitors

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CHRISTCHURCH

MAY IT PLEASE THE PANEL:

1. The purpose of this memorandum, filed on behalf of the Christchurch City Council (**Council**), is to provide the Independent Hearings Panel (**Panel**) with a supplementary list of amendments to the Transport Zone on the planning maps, which should be read alongside the Council's Memorandum regarding the corrections to Transport Zone as decided by Minor Corrections Decisions dated 19 June 2017 and 22 June 2017 and Updated Planning Maps, dated 28 July 2017.
2. An additional amendment to the way a zone is shown on the planning maps is also explained in this memorandum, which does not fit within the supplementary list of amendments to the Transport Zone.

Background and explanation

3. By way of background, the Council previously filed a memorandum seeking minor corrections dated 19 May 2017, where it sought a number of corrections related to the Transport Zone on the planning maps. In particular, the Council requested the removal of the Transport Zone where it was incorrectly shown on the planning maps. In summary, the corrections required to the Transport zone on the planning maps where:
 - (a) the Transport (Stage 2) zone was inadvertently notified, or re-notified:
 - (i) up some private driveways;
 - (ii) up some access ways;
 - (iii) across waterways; or
 - (b) where an error arose from the cadastre database, specifically when the database recorded privately owned parcels of land as public road, even though they are a separate legal parcel from the actual road.
4. The Panel accepted the Council's position on this and agreed that parties will not be disadvantaged with the zoning corrections.¹ The Panel then directed the Council to provide an updated set of relevant planning maps (and legend), showing the changes in zoning, for the Panel's information. This information was provided in Appendices 1 and 3 of the Council's memorandum dated 28 July 2017.

¹ Minor Corrections to Decisions dated 19 June 2017 at paragraph 47.

5. Subsequent to filing that memorandum the Council has become aware of a number of the same types of amendments that are required to the Planning Maps and are now provided to the Panel for its information. These amendments are provided in **Appendix 1**.
6. In addition, two other amendments to the Planning Maps, necessary in order to identify certain zone types, are explained in **Appendix 2**.
7. Written approval from a landowner (Orion) is included at **Appendix 3**.
8. It is understood that these amendments do not require a decision from the Panel but are simply provided for its information and transparency.

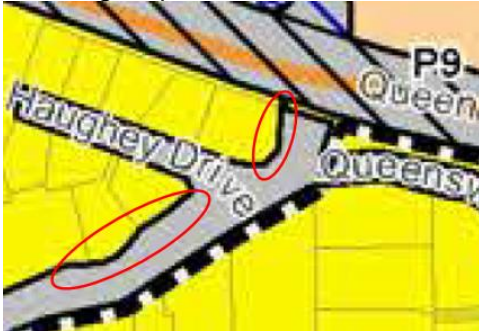
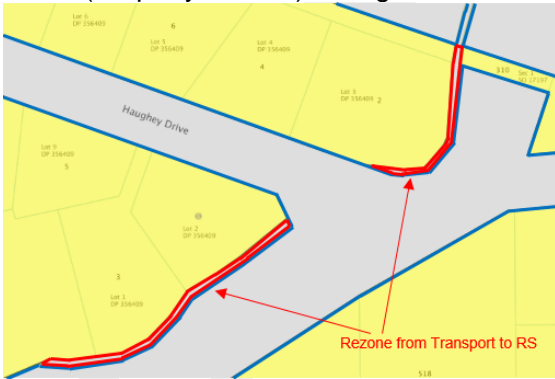
DATED this 10th day of October 2017






S J Scott / C J McCallum
Counsel for Christchurch City Council


APPENDIX 1


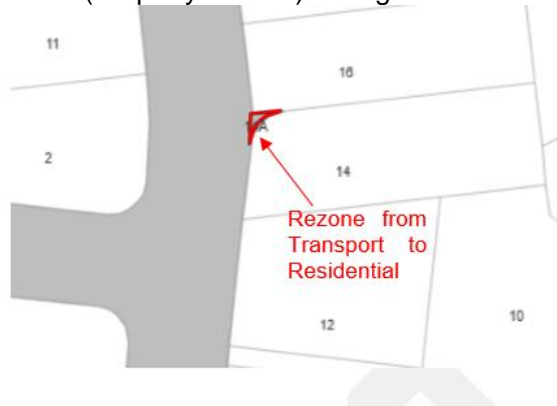
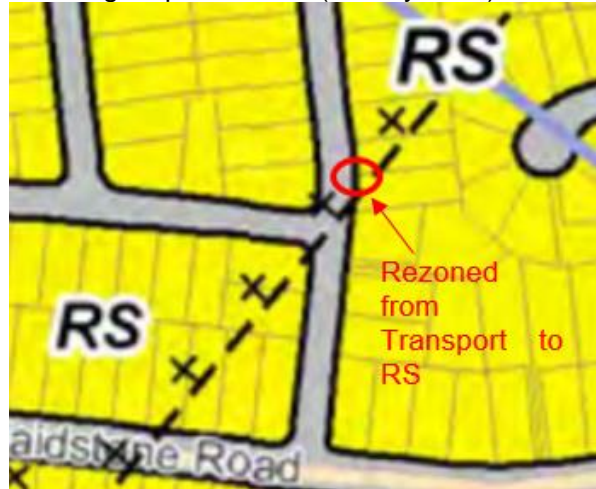
EXPLANATION OF AMENDMENTS TO PLANNING MAPS (Supplementary to Council Memorandum dated 28 July 2017)


PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
Waterways		
<i>Planning Map 25</i>	<p>Rezone parts of Shirley Stream outlined in red below from Transport to Residential Suburban Zone.</p> <p>Planning Map 25 extract:</p>  <p>ePlan (Property Search) enlargement:</p> 	<p>Parts of Shirley Stream run between 300R and 310 Queen Elizabeth II Drive, along the eastern and southern boundaries of 2 Haughey Drive, and along the south-eastern boundaries of 1 & 3 Haughey Drive and 471 Hills Road. This part of the stream was notified as Residential Suburban in Stage 1 and then notified again (although in error) as Transport in Stage 2. The residential zoning was not confirmed in Decision 10 Stage 1 Residential, following a request from the Council that any land re-notified as Transport Zone not be confirmed as residential in Decision 10. The Transport Zone was then confirmed through Decision 12 Stage 2 Transport.</p> <p>The error arose from the Council cadastre database, where that part of Shirley Stream (outlined in red in the ePlan enlargement in the middle column) is shown as non-rateable public land adjoining the road corridor (outlined in blue in the ePlan enlargement in the middle column) and was incorrectly picked up in the GIS analysis for Stage 2 to be zoned Transport. However, it is not part of the legal road. The Open Space Water and Margins (OWM) zoning is not appropriate in this instance because the OWM zoning is applied only to upstream and downstream rivers (generally over 3m wide), lakes and adjacent esplanade reserves. It is considered that the zoning of that part of Shirley Stream is appropriately zoned Residential Suburban, to align with the surrounding zone. This is consistent with the zoning applied to other streams adjoining residential areas.</p>

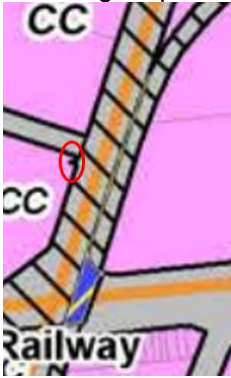
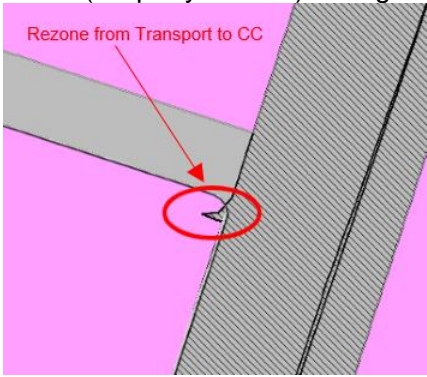

PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
Cadastre database errors		
<p><i>Planning Map 26, H4</i></p>	<p>Rezone 61 Hawke Street from Transport to Commercial Core.</p> <p>Planning Map 26 extract:</p>  <p>ePlan (Property Search) enlargement:</p> 	<p>The property at 61 Hawke Street was notified as Transport in Stage 2 (in error) and was confirmed through Decision 12 Stage 2 Transport.</p> <p>The error arose from the Council cadastre database, where 61 Hawke Street (outlined in red in the middle column) was incorrectly picked up in the GIS analysis to be zoned Transport in Stage 2.</p> <p>Records show that this piece of land is owned by Orion. It is the site of utility infrastructure and is outside the legal road corridor (yellow line). This property should not have been zoned Transport. Orion supports the correction of the zoning of 61 Hawke Street from Transport to the surrounding zone type, being Commercial Core. Confirmation from Orion is attached at Appendix 3.</p>



PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
<p><i>Planning Map 26</i></p>	<p>Rezone the end of Eureka Street (circled in red below) from Residential Suburban to Transport Zone.</p> <p>Planning Map 26 extract (17 March 2017):</p> 	<p>Eureka Street was notified in Stage 1 as Residential Suburban and in Stage 2 as Transport, except for that part at the end of the street towards Anzac Drive (it was an error not to notify this part). The residential zoning was not confirmed in Decision 10 Stage 1 Residential, following a request from the Council that any land re-notified as Transport Zone not be confirmed as residential in Decision 10. The Transport Zone was then confirmed through Decision 12 Stage 2 Transport.</p> <p>That part of Eureka Street which was not re-notified as Transport in Stage 2, was confirmed as residential in Decision 10 (circled in red in the middle column).</p> <p>In the Council's 28 July 2017 Memorandum regarding the corrections to Transport Zone for the Panel's information, Planning Map 26 shows the part residential zoning of Eureka Street (outlined in red below) inadvertently rezoned to Transport Zone without an explanation in the Council's Memorandum.</p> <p>The Council considers that all of Eureka Street should be zoned as Transport. It is legal road and the part currently shown as Residential Suburban covers part of the turning head on Eureka Street and the footpaths and berm on Anzac Drive.</p>

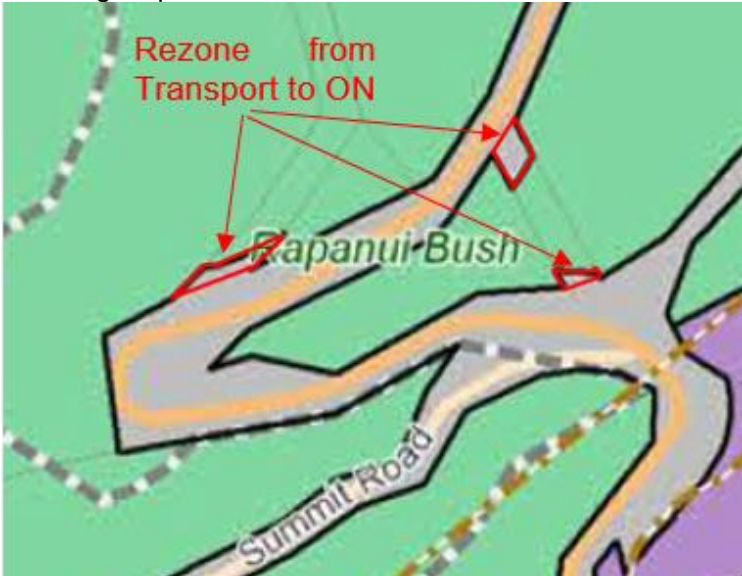

PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
		<p>Planning Map 26 extract (28 July 2017):</p> 
<p><i>Planning Map 30</i></p>	<p>Rezone 14A Hounslow Street (outlined in red below) from Transport to Residential Suburban.</p>	<p>In the Council's 28 July 2017 Memorandum regarding the corrections to Transport Zone, an updated set of planning maps was provided for the Panel's information.</p> <p>Planning Map 30 showed 14A Hounslow Street (outlined in red below and in the middle column) was inadvertently rezoned from Transport to Residential Suburban, but without an explanation in the Council's Memorandum.</p>

PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
	<p>Planning Map 30 extract (17 March 2017):</p>  <p>ePlan (Property Search) enlargement:</p> 	<p>Planning Map 30 extract (28 July 2017):</p>  <p>The property at 14A Hounslow Street was notified Residential Suburban in Stage 1 and then notified again (although in error) as Transport in Stage 2. The residential zoning was not confirmed in Decision 10 Stage 1 Residential, following a request from the Council that any land re-notified as Transport Zone not be confirmed as residential in Decision 10. The Transport Zone was then confirmed through Decision 12 Stage 2 Transport.</p> <p>The error arose from the Council cadastre database, where 14A Hounslow Street is shown as public land adjoining the road corridor and was incorrectly picked up in the GIS analysis to be zoned Transport in Stage 2.</p> <p>Records show that it is a 5m² property owned by Council but is not legal road. The aerial photo below shows the property outside the road corridor (yellow line) and the driveway of 14 Hounslow Street going over the Council property. The</p>

PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
		<p>Council's Asset & Network Planning Team confirms that the land is no longer needed by Council and intends to sort out the ownership. The Residential Suburban zoning of 14A Hounslow Street is supported by Council.</p> <p>Aerial photo with road corridor layer:</p> 
<p><i>Planning Map 37</i></p>	<p>Remove part of 416A Main South Road zoned Transport and replace with Commercial Core.</p>	<p>The property at 418 Main South Road, known as Hornby Mall, was notified Commercial Core in Stage 1 and then part of it (outlined in red below) was notified again (although in error) as Transport in Stage 2. The commercial zoning was confirmed in Decision 11 Stage 1 Commercial/Industrial, except for that part re-notified as Transport Zone, following a request from the Council that any land re-notified as Transport Zone not be confirmed as commercial in Decision 11. The Transport Zone was then confirmed through Decision 12 Stage 2 Transport.</p> <p>The small area zoned Transport is part of the NZTA road-</p>


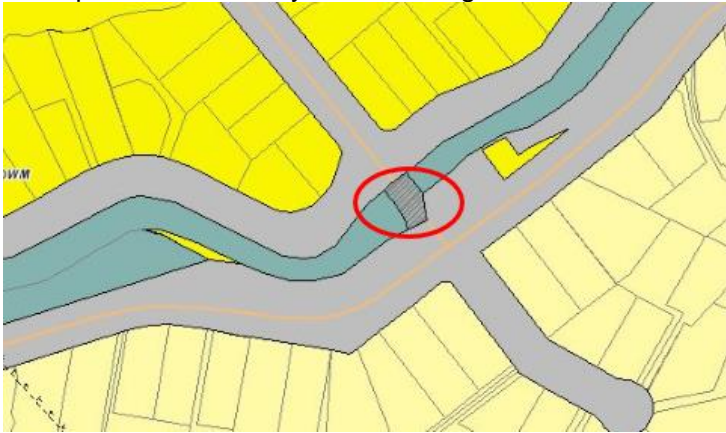
PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
	<p>Planning Map 37 extract:</p>  <p>ePlan (Property Search) enlargement:</p> 	<p>widening designation for State Highway 1, as shown on RDP planning map 37 and circled in red in the middle column. State Highway 1, as provided for in the Designation has already been constructed and the aerial photo below shows the new (completed) layout of the road where the part Transport Zone of that property is outside the road corridor (yellow line).</p> <p>The Council considers that this part of 416A Main South Road should be rezoned from Transport to Commercial Core Zone to align with the rest of Hornby Mall.</p> <p>Aerial map with zoning and road corridor layers:</p> 
<p><i>Planning Map 48, H27</i></p>	<p>Amend boundary of Transport Zone (black line highlighted in red in Planning Map 48 extract below) to follow the road corridor (yellow line in aerial photo) by rezoning the area shaded in red (aerial photo below) from Transport to Open Space Coastal.</p>	<p>Part of the foreshore of Sumner Beach was, in error, notified as Transport zone and confirmed in Decision 12 Stage 2 Transport.</p> <p>The error arose from the Council cadastre database, where the foreshore is shown as public land adjoining the road corridor and part of the foreshore was incorrectly picked up in the GIS analysis to be zoned Transport in Stage 2.</p>


PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
	<p>Planning Map 48 extract:</p>  <p>Aerial photo with zoning and road corridor layers:</p> 	<p>As seen in the aerial photo in the middle column, the Transport Zone cuts through part of the Sumner Surf Life Saving Club located at the foreshore of Sumner Beach.</p> <p>The Council considers that the Transport Zone should be amended to follow the legal road corridor (yellow line in the middle column). That part of the foreshore shaded in red in the middle column should be rezoned from Transport to Open Space Coastal.</p>

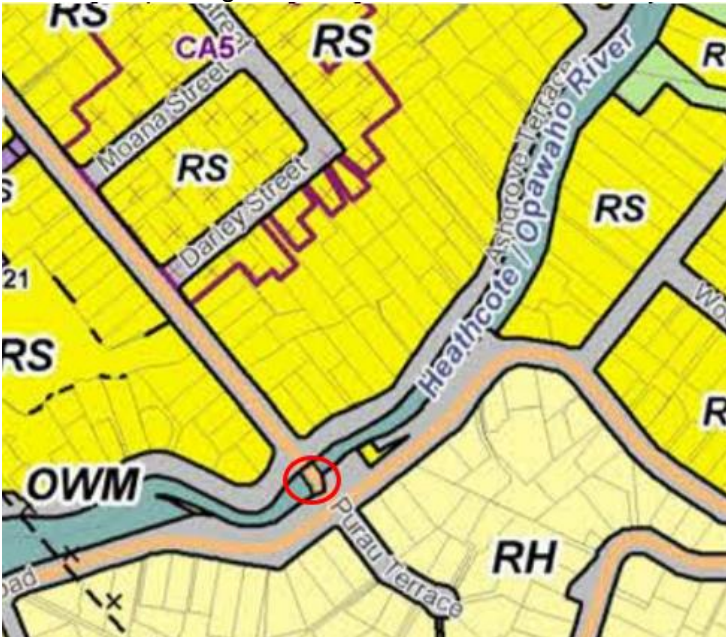

PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
<p><i>Planning Map 53/R1</i></p>	<p>Rezone three bits of Transport Zone adjoining 191 Evans Pass Road to Open Space Natural.</p> <p>Planning Map 53 extract:</p> 	<p>The red outlined areas shown in the middle column were, in error, notified Transport Zone in Stage 2 and confirmed in Decision 12 Stage 2 Transport.</p> <p>The error arose from the Council cadastre database, where the red outlined areas are shown as part of the road corridor running off Evans Pass Road and was incorrectly picked up in the GIS analysis to be zoned Transport in Stage 2. As shown in the aerial photo below, they are random start/end portions of the paper road where they adjoin the formed road. The approach taken by Council for paper roads is to apply the adjacent zoning. In this case, these unformed roads should be rezoned to the adjoining Open Space Natural Zone.</p> <p>Aerial photo with zoning and road corridor layer:</p> 

APPENDIX 2

EXPLANATION OF OTHER AMENDMENTS TO PLANNING MAPS

PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
<i>All relevant planning maps</i>	<p>Amend all relevant planning maps by showing the hatched symbol of "Transport over Open Space Water and Margins Zone" (shown below) on top of all layers to make it more visible in the planning maps.</p> <p>Hatched symbol shown on Planning Map Legend:</p>  <p>Transport over Open Space Water and Margins Zone</p> <p>Example of amended symbol for bridges:</p> 	<p>All Transport Zones crossing waterways and the Open Space Water and Margins Zone are shown on the planning maps with a hatched symbol and labelled 'Transport over Open Space Water and Margins Zone', as in the Planning Map Legend extract shown in the middle column.</p> <p>It has been identified that the hatched symbol is not very clear or even not visible in certain areas in Planning Maps previously accepted by the Panel, because it is covered by other layers on the planning maps. This can be rectified by showing the hatched symbol as the top-most layer on the planning maps. As an example, the zoning of the bridge connecting Barrington Street with Cashmere Road (aerial photo below) is not visible on the extract of Planning Map 46 below, due to the Road Hierarchy layer. There are 26 places where 'Transport over Open Space and Water Margins Zone' is shown on the planning maps. Some of them are too small to see on the planning maps (until zoomed in) and some have the road hierarchy line on top which makes it even harder to see.</p> <p>There is no change at all to the location of the Transport over Open Space Water and Margins Zone on the planning maps, nor even to the Planning Map Legend. This change simply ensures the planning maps are easier to interpret.</p> <p>Aerial of bridge along Barrington Street over Heathcote River:</p>

PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
		 <p>An aerial photograph of a residential neighborhood. The image shows several streets: Barrington Street running diagonally from the top left, Cashmere Road running horizontally across the middle, and Pines Terrace running diagonally from the bottom right. A red circle is drawn around a specific area at the intersection of these streets, highlighting a location of interest. The surrounding area is filled with houses, trees, and greenery. The houses have various roof colors, and there are many trees scattered throughout the neighborhood.</p>

PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
		<p>Extract example from Planning Map 46 with hatched symbol not visible on bridge:</p> 
<p><i>Central City Zoning, Other Notations, Designations and Heritage Orders Planning Map</i></p>	<p>Insert a hatched symbol (as shown below) into the key for the 'Central City Zoning, Other Notations, Designations and Heritage Orders Planning Map' to indicate zoning of 'Transport over Avon River Precinct Zone' and apply the hatching wherever roads cross the Avon River Precinct Zone.</p> <p> Transport over Avon River Precinct Zone</p>	<p>Central City planning maps, as notified, showed hatching to indicate zoning of 'Transport over Open Space Water and Margins Zone and Waterways' (which became the Avon River Precinct Zone through the Open Space Planning Maps Decision, 13 October 2016). There was no specific decision to remove the hatching in Decision 43 Central City, 20 September 2016. The planning maps reflecting Decision 43 were filed through Council Memorandum on 10 October 2016 showing the Transport Zone crossing the Avon River (refer to 'Central City Zoning Map Decision 43 5/10/2016'), but did not include hatching or the Avon River Precinct Zone. This was presumably because the Avon River Precinct Zone was considered in the hearing for the other Open Space zones,</p>

PLANNING MAP	AMENDMENT	BACKGROUND TO AMENDMENT
		<p>which resulted in Decision 35. Neither that decision nor the Open Space Planning Maps Decision dated 13 October 2016 addressed the hatching where the Transport Zone overlapped the Avon River Precinct Zone. The hatching was also not included in the Central City planning maps of the Minor Corrections decision as a result of the restructured chapters dated 17 March 2017, which combined all the decision versions of the planning maps into one document.</p> <p>The hatching was approved outside of the Central City through Decision 12 Transport Stage 2 dated 2 December 2015, where the Transport Zone overlaps the Open Space Water and Margins Zone and Waterways. Council considers it would be consistent for the District Plan to apply the same approach to the Planning Maps, within the Central City.</p>

APPENDIX 3

WRITTEN APPROVAL FROM ORION

Catherine McCallum

From: Darryl Millar <darryl@rmgroup.co.nz>
Sent: Tuesday, 19 September 2017 9:31 a.m.
To: Pollisco, Marie
Subject: RE: Orion property at 61 Hawke Street - correction to zoning

Hi Marie

Orion is not opposed to the rezoning

Darryl Millar
Director

Resource Management Group
Level 4 69 Cambridge Terrace
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Christchurch 8140

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M 027 229 5555
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W www.rmgroup.co.nz

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From: Pollisco, Marie [<mailto:Marie.Pollisco@ccc.govt.nz>]
Sent: Friday, 15 September 2017 11:49 a.m.
To: Darryl Millar
Subject: Orion property at 61 Hawke Street - correction to zoning

Hi Darryl

I previously raised with you a correction to the zoning (from Transport to Rural Banks Peninsula Zone) of Orion's property at 62E Governors Bay, which they supported.

The Council will be sending another memorandum to the Independent Hearings Panel to provide them with an additional list of amendments to the planning maps for their information. Included in the list is another property owned by Orion, which should be zoned Commercial Core rather than Transport to align with the adjoining commercial zone. Can you please confirm with your client if they would support the rezoning of their property outlined in red below from Transport to Commercial Core?



Kind regards
Marie

Marie Pollisco

Policy Planner
City Planning Team
Planning and Strategic Transport Unit

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Fax: 03 941 8337
Email: marie.pollisco@ccc.govt.nz
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