

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: 8 February 2017

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

MINOR CORRECTIONS TO DECISION 62

Background

[1] The Hearings Panel ('the Panel') issued Decision 62 on 16 December 2016.¹

[2] We received a memorandum ('the Council memorandum') from the Christchurch City Council ('the Council') requesting minor corrections to Decision 62 on 27 January 2017.² We address the corrections sought by the Council below.

¹ Decision 62: Minor corrections and decision as to planning maps (including aerial maps for Sites of Ngāi Tahu Cultural Significance) relating to Decisions 44, 45, 46, 50 and 51.

² Memorandum of counsel for Christchurch City Council requesting minor corrections to Decision 62, Natural and Cultural Heritage (Part), 27 January 2017.

Jurisdiction to make minor corrections

[3] Clause 16 of Schedule 3 to the OIC provides as follows:

- (1) The hearings panel may, at any time, issue an amendment to a decision to correct a minor mistake or defect in a decision of the panel.
- (2) This power includes the power to amend or correct a proposal, provided that the amendment or correction is made before the proposal becomes operative in accordance with clause 16 of this order.

Minor corrections requested

[4] After further checking, the Council discovered additional occurrences of the same tree being listed in both the private realm schedule (Appendix 9.4.7.1) and the public realm schedule (Appendix 9.4.7.2). To remedy these errors, the Council has requested various deletions and/or amendments to both Appendix 9.4.7.1 and 9.4.7.2. These are set out in table form in [8] of the Council memorandum.

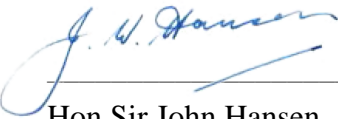
[5] The specific reasons for the requested amendments, as set out by the Council, are as follows:

- (a) The five trees at 7 Riccarton Avenue are already listed in the public tree group PTG10. As they are in the Botanic Gardens, this is the correct listing;
- (b) the English beech at 19 Blakes Road (corner of Blakes and Thompsons Road is very close to the road boundary with private land, but is in fact on legal road;
- (c) the Lombardy poplar at 297 Madras Street is part of a tree group PTG6 on open space on the Avon Riverbank, with its address listed as Chester Street East;
- (d) the co-ordinates of two of a group of three trees at Grehan Valley Road, Akaroa have been found to be incorrect, with details as follows:
 - (i) The totara is in both private and public lists, but is on land which is now Council esplanade reserve; and
 - (ii) The matai is currently on the private list, but as with the totara, is on land which is now Council esplanade reserve, thus should be in the public list.

Decision

[6] The minor changes requested by Council in relation to Appendix 9.4.7.1 and 9.4.7.2 are accepted for the reasons outlined in the Council memorandum. We are satisfied the corrections fall within our jurisdiction and direct the changes, as set out in **Schedule 1**.

For the Hearings Panel:



Hon Sir John Hansen
Chair

SCHEDULE 1

Make the following changes to Appendix 9.4.7.1 (changes shown tracked)

Street number	Street address	Tree ID	Planning Map Number	GPS Easting Co-ordinate	GPS Northing Co-ordinate	Name	Exceptional Values	Exceptional Values
7	Riecarton Avenue	T1076	32, H15	2479856.556	5741680.271	<i>Cedrus deodara</i>	Deodar Cedar	
7	Riecarton Avenue	T1077	31, H15	2479688.31	5741739.611	<i>Agathis australis</i>	Kauri	
7	Riecarton Avenue	T1078	31, H15	2479482.188	5741683.625	<i>Quercus robur</i>	English Oak	
7	Riecarton Avenue	T1079	31, H15	2479458.035	5741768.321	<i>Quercus robur</i>	English Oak	
7	Riecarton Avenue	T1080	31, CC	2479321.658	5741733.896	<i>Eucalyptus delegatensis</i>	Alpine Ash	
19	Blakes Road	T449	19	2480364.975	5749622.996	<i>Fagus sylvatica</i>	European Beech	
297	Madras Street	T907	32, H16	2481107.683	5742194.683	<i>Populus nigra Italica</i>	Lombardy Poplar	
85	Grehan Valley Road	T123	77, H35	2508426.048	5711824.54	<i>Podocarpus totara</i>	Totara	Heritage
85	Grehan Valley Road	T646	R5, 77, H35	2508421.466	5711825.618	<i>Prumnopitys taxifolia</i>	Matai	Heritage Landscape

Make the following changes to Appendix 9.4.7.2 (changes shown tracked)

Street Address	Park Name	Tree Group ID	Tree ID	Planning Map Number	GPS Easting Co-ordinate	GPS Northing Co-ordinate	Botanical Name	Common Name
83 Grehan Valley Road	Grehan Stream Esplanade Reserve <u>Grehan Stream Esplanade Reserve</u>	PTG23	65834	77, H35	2508412.24 <u>2508415.236</u>	5711796.49 <u>5711796.485</u>	Podocarpus totara	Totara
83 Grehan Valley Road	<u>Reserve</u>	<u>PTG23</u>	<u>65831</u>	<u>77, H35</u>	<u>2508420.553</u>	<u>5711792.136</u>	<u>Prumnopitys taxifolia</u>	<u>Matai</u>