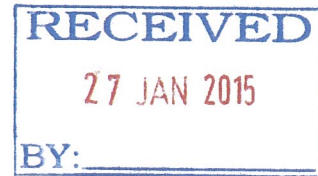


Submission on Private Plan Change Request by Memorial Avenue Investments Limited

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The Council **could not** gain an advantage in trade competition through this submission.

The Council **wishes to be heard** in support of its submission.

The submission relates to the whole of the plan change request, with a particular emphasis on the specific provisions addressed in the submission.

Summary

The Council generally supports the Memorial Business Park Private Plan Change Request (plan change request) as notified with the matters opposed limited to the relevant points in this submission.

The Council's submission seeks to ensure the provisions achieve the outcome anticipated of a high quality industrial environment in a highly visible location at the "entrance to the City". The activities anticipated include primarily industrial businesses with a limited quantum of office activity, ancillary retail, guest accommodation and other activities.

The Council's submission addresses two of the constraints identified in Section 2.3 of the request (as set out at b and c directly below) while also responding to other provisions that differ from an earlier version of draft provisions prepared by Council officers that reflected the Council's policy in respect of this site.

b. The potential for retail and office development on the site to undermine investment in existing centres and the CBD;

c. Insufficient current capacity in the reticulated wastewater and water supply systems to accommodate development on the site;

Submission 1 General

The Council generally supports the plan change request as notified with the exception of those matters subject to separate submission points.

Decision sought

That the plan change request as notified be retained unless sought otherwise in this submission.

Reasons

The plan change request is supported on the basis that it is not inconsistent with the Land Use Recovery Plan, gives effect to the Canterbury Regional Policy Statement and has particular regard to the Statement of Expectations.

In regard to the plan change request, Council is required under Action 24 of the LURP to:

"...enable in the next review of its district plans the following measures:

Greenfield priority areas for business

- vii.*
- viii. an integrated approach to greenfield priority areas for business that are located near Christchurch Airport*
- ix. zoning provisions for other greenfield priority areas for business shown on map A, appendix 1*
- x. thresholds for commercial activities in greenfield priority areas for business where these are considered necessary to avoid reverse sensitivity effects or effects on the viability of key activity centres."*

The Terms of Reference of the Hearings Panel for the Christchurch Replacement District Plan, dated 8 September 2014 states as follows in paragraph 3.4 under the heading "Matter of Priority":

“Pursuant to Clause 9(2)(b) of the Order, the panel shall consider the scheduling of all proposals related to the achievement of Action 24 (viii) of the Land Use Recovery Plan and an integrated approach to land uses located near Christchurch airport”.

The Land Use Recovery Plan identifies four greenfield priority areas for business near the airport, which are described below from north to south:

- (i) Land between Waimakariri Road and Johns Road (approx. 15 hectares)
- (ii) Land north of Wairakei Road, between Wooldridge Road and Russley Road (approx. 50 hectares)
- (iii) Land bordered by Memorial Avenue and Avonhead Road, to the immediate east of Russley Road (approx. 25 hectares)
- (iv) Land between Hawthornden Road and Russley Road, north of Avonhead Park (approx. 35 hectares)

The land subject to this plan change request is the area identified under (iii). The remaining three areas were identified by Council in October 2012 as appropriate for rezoning to business, following a review of a larger area known as the North West Review Area.

Notwithstanding this plan change request, the Council proposes zoning provisions for the greenfield priority areas in stage 2 of the proposed Replacement District Plan in accordance with Action 24 (ix).

Prior to the commencement of the District Plan Review, a Council led plan change was notified for the Special Purpose (Airport) zone (SPAZ), being the land west of Russley Road. The plan change was heard from 11 – 14 August 2014 and a decision is expected shortly.

While the plan change for the SPAZ precedes zoning provisions for the greenfield priority areas near the airport, the decision for SPAZ will be made with the knowledge of the greenfield priority areas and the strategic framework proposed in the Commercial and Industrial Proposals of the proposed Replacement District Plan. A level of integration will therefore be achieved in determining the SPAZ plan change request.

Notwithstanding this, the SPAZ has a different function to the greenfield priority areas in the north west, the former being identified as Strategic Infrastructure in Chapter 6 of the CRPS, the latter being identified as ‘greenfield priority areas’, primarily for industrial activities, like all other greenfield priority areas identified in the LURP for business.

The nature and/or scale of activities that support the efficient operation, use and development of the airport are therefore not necessarily appropriate in other greenfield priority areas near the airport. Examples include retail and office activity in greenfield priority areas, which may have urban form effects if not appropriately managed. The supporting analysis to the plan change request does not appear to support this conclusion in stating *“We conclude that the highest and best use of the property is for a mixed use development featuring retail, service, hospitality, office and tourist accommodation”* (Section 11.0 of ‘Russley Road/ Memorial Avenue – Land Use Study’ (Telfer Young (Canterbury Limited))). This is at odds with the plan change request which includes rules to restrict non-industrial activities including retail, office and guest accommodation.

The key focus in achieving an integrated approach to the greenfield priority areas at and near the airport is in respect of the planning and implementation of infrastructure in a manner co-ordinated with land use activities. In support of this approach, the proponents for the plan change request have had ongoing discussions with Council staff to ensure the consideration of transport effects on and arising from other greenfield priority areas. An example of this is the methodology for the Transport assessment, which has considered the transport effects generated by the plan change request as well as the cumulative effects of the plan change request and the other greenfield priority areas.

Notwithstanding the submission points opposing specific matters that follow, the plan change request as notified gives effect to Chapter 6 of the Regional Policy Statement. In particular, standards restricting the scale of office activity and guest accommodation facilitates the use of the greenfield priority area for primarily industrial activities. This gives effect to Objective 6.2.6(1) and Policy 6.3.6(5) of Chapter 6 to the CRPS.

In preparing the plan change request, the applicant has had particular regard to the Statement of Expectations in schedule 4 of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014. The plan change request supports the following relevant expectations:

- (e) that there is sufficient and suitable development capacity and land for industrial activities by contributing to the supply of industrial land; and
- (c) contributing to the effective functioning of the urban environment reflecting changes as a result of the earthquakes. The rezoning of the subject land provides capacity in a suitable location on the transport network for businesses seeking to relocate from damaged land and/or premises and which contributes to growth in the west of the City.

Submission 2 Specific rules supported

The Council supports the following provisions in the plan change request –

- Rule NC4, 16.4.5.1.5 (*“Any site access or road access from the zone to Memorial Avenue or Russley Road other than those indicated on the Outline Development Plan in Appendix 16.7.10)*
- Rule NC5, 16.4.5.1.5 (*“Food and beverage outlets with drive-through facilities on sites within 50 m of Memorial Avenue or Russley Road”*)
- Rule NC7, 16.4.5.1.5 (*“Any Industrial Activity (P1) or Warehousing or Distribution Activity (P2) within 50 metres of Memorial Avenue or Russley Road).*

Decision sought

Retain the following rules as notified:

- Rule NC4, 16.4.5.1.5
- Rule NC5, 16.4.5.1.5
- Rule NC7, 16.4.5.1.5

Reasons

Rule NC4, 16.4.5.1.4 is supported in that it avoids the potential for multiple access points to the zone/sites, which may impact on the function, efficiency and safety of Memorial Avenue as well as the anticipated amenity of this frontage.

Rule NC5, 16.4.5.1.5 is supported as it avoids fast food outlets and associated signage on the Memorial Avenue or Russley Road frontage, which may otherwise detract from the visual amenity sought in this location and its function as a gateway to the City. Provision to restrict Food and Beverage outlets with drive-through facilities rather than all Food and Beverage outlets is considered more appropriate in addressing this issue.

Rule NC7, 16.4.5.1.5 is supported in that it discourages activities, which generally present a lower level of amenity than other land uses, in a location highly visible to a large number of people at one of the

gateways to the City. The effect of this rule will be that buildings intended for uses other than industrial, warehousing or distribution activities will provide a 'visual buffer' e.g. Offices, Guest Accommodation.

Submission 3 Objective 16.1.2 and 16.1.2.1 Policy 8

The Council **opposes** the private plan change request in so far as it does not propose any amendments to objectives and policies of the publicly notified Industrial Proposal to acknowledge the specific outcomes sought for the zone, including a higher level of amenity as anticipated through site specific rules.

Decision sought

Amend 16.1.2 Objective 2 and 16.1.2.1 Policy 8 of the Industrial Proposal as follows: (Amendments marked by bold and underlining/ strikethrough).

16.1.2 Objective 2 Amenity in Industrial zones and the effects of industrial activities

- (a) *Adverse effects of industrial activities and development on the environment are avoided, remedied or mitigated and the level of amenity anticipated in the adjoining zone is not adversely affected by industry.*
- (b) *Industrial sites visible from the road have a higher level of visual amenity, particularly in the Industrial General Zone (North Belfast) ~~and~~ Industrial Heavy Zone (South West Hornby) **and Industrial Park zone (Memorial Avenue)** that are in highly prominent locations and act as gateways to the City*
- (c) *The cultural values of Ngāi Tahu/ manawhenua are recognised, protected and enhanced through the use of indigenous species in landscaping and tree planting, a multi-value approach to stormwater management in greenfield areas, and the protection and enhancement of waahi tapu and waahi taonga including waipuna.*

16.1.2.1 Policy 8 – Improve Visual Amenity

- (a) *Development shall enhance the visual amenity of industrial sites along street frontages through landscaping and tree planting, and the location of the office component of the industrial activity on the street frontage, while providing for passive surveillance of public space.*
- (b) *To encourage the use of indigenous species, appropriate to the local environment, in landscaping and tree planting to recognise the cultural values of Ngāi Tahu/ manawhenua.*
- (c) *Enhance the visual amenity at gateways to the city through setbacks and landscaping in the Industrial Heavy Zone (South West Hornby) and also well designed buildings in the Industrial General Zone (North Belfast).*
- (d) **Maintain the amenity values along Memorial Avenue and its function as a war memorial and visitor gateway through the provision of buildings of a high visual and aesthetic quality, limited signage, a large building setback and landscaping along the frontage with Memorial Avenue.**

Reasons

The rules in the private plan change request seek outcomes specific to the Industrial Park zone (Memorial Avenue), which are not addressed in the Objectives and Policies i.e. there is an absence of clear direction in the objectives and policies to show the linkages between objective, policy and rule.

The Objective as amended in Council's relief recognises the importance of highly prominent sites that are at gateways to the city including this site at the 'entrance to the City' from the airport and adjacent to a major corridor. In achieving the purpose of the Act, the proposed Objective in Council's relief would:

- a. enhance visual amenity at this strategically important location, contributing to the maintenance and enhancement of amenity values and the environment (s 7); and
- b. limit the potential adverse effects of development (s 5(2)(c)) on physical resources including the urban area at the fringe of the City e.g. the environment of Memorial Avenue, a memorial to air service personnel who died during World War II. In protecting this resource, the cultural well-being of people and communities is provided for.

The proposed addition to policy 8 recognises the importance of Memorial Avenue as a memorial¹ and the significance of sites at the interface with Memorial Ave, particularly as a gateway to the City. In making this addition, it shows the linkage between the Objective and Policy.

Submission 4 Retail activity

The Council **opposes** Rule P6, 16.4.5.1.1 ("*Retail Activity unless specified below*"), which seeks provision for up to 4,100 m² glfa across the Outline Development Plan area.

Decision sought

The Council seeks the **deletion** of Rule P6, 16.4.5.1.1 and consequential amendments including –

- i. deletion of rule RD5, 16.4.5.1.3
- ii. deletion of 16.4.5.3.5 (Matters of Discretion: Retail Activities).

The Council's secondary relief should Rule P6, 16.4.5.1.1. be retained in its current or a modified form, is to amend the Matters of Discretion (16.4.5.3.5) as follows:

~~*a. The extent to which the additional gross floor area of retail activity avoids significant adverse effects on the function and efficient use of the central business district and Christchurch City district centres; and*~~

~~*b. The extent to which the additional gross floor area of retail activity avoids significant adverse effects on the recovery of the central business district, including undermining the recovery following the Canterbury earthquakes of 2010 and 2011;*~~

~~*c. The extent to which the additional gross floor area of retail activity limits significant adverse effects on communities who rely on the central business district, and Christchurch City district centres for their social and economic well-being; and*~~

¹ Burnside Road was renamed to Memorial Avenue on 26 November 1959 in conjunction with widening and other improvements, in the memory of all the air service personnel that died in World War II
DPR Plan Change request from Memorial Avenue Investments Ltd - CCC submission as lodged 2015-01-27.DOC

- a. The extent to which the retail activity supports the function of the Central City, Key Activity Centres and Neighbourhood Centres as the focal points for the community while giving primacy to the Central City;
- b. The extent to which the retail activity supports the recovery of the Central City, Key Activity Centres and Neighbourhood centres in the short to medium term, and enhances the vitality and amenity of centres;
- c. Consistency with the objectives and policies in the Industrial chapter; and
- d. The extent to which additional retail activity affects the function of the industrial Park zone (Memorial Avenue) as a location for primarily industrial activity.
- e. The extent to which the retail activity serves the needs of workers and visitors to the industrial area.
- f. The impact of the retail activity on the ability of existing or future permitted industrial activities to operate or establish without undue constraint.
- g. The effect of the retail activity on the capacity to accommodate future demand for industrial activities.
- h. The extent to which the retail activity is ancillary to the primary use of a site for industrial activities.
- i. The extent to which the retail activity relates to and is ancillary to an industrial activity on an adjoining or nearby site within the zone.
- j. The extent to which the retail activity contributes to the accumulation of other non-industrial activities that may discourage or displace industrial activities.
- k. Whether there are any benefits of a retail activity providing a buffer between industrial activities and more sensitive land use activities.
- l. The extent to which the retail activity is accessible by a range of modes of transport for communities served by the activity.

Reasons

There is insufficient evidence to justify the proposed quantum of retail activity permitted within the Outline Development Plan area.

Section 6.1.6 (page 11) of the Section 32 report states that the provision of 4,100 m² of retail activity is equivalent to the provision in the Special Purpose (Airport) zone, which in itself does not provide adequate reasoning or justification for the extent of retail activity sought, particularly in this location and given the limited higher order policy support for retail activities beyond KACs and neighbourhood centres.

Policy 6.3.6 (4) of Chapter 6 to the CRPS provides for out of centre commercial activity “...in circumstances where locating out of centre, will not give rise to significant adverse distributional or urban form effects” (Underlining is emphasis). “Urban form effects” are defined as

“means an effect on urban form and structure, including anticipated location and networks of activities, facilities and infrastructure”.

Page 16 of Appendix 2 to the request provides an evaluation of Policy 6.3.6(4) (Chapter 6, CRPS), and states *“The proposed zoning supports the function and role of the Central City, Key Activity Centres and neighbourhood centres. The analyses of commercial uses demonstrate that with the trigger controls on amount and staging of commercial uses as proposed in the zone provisions there will not be any significant adverse distributional or urban form effects”* (Underlining is my emphasis).

The Retail Assessment prepared by Insight is limited to distributional effects² and there is therefore an absence of supporting information in the Assessment of Environment Effects to justify the statement that there will not be any urban form effects.

Secondary relief

As secondary relief, amendments are sought to the Matters of Discretion by inclusion of new clauses (a) and (b) to enable consideration of whether a proposal for additional retail activity supports the policy direction in both the Commercial and Industrial proposals, including the importance of the Central City, District centres and neighbourhood centres as focal points for the community and their recovery. This is not inconsistent with the Recovery Strategy, Christchurch Central Recovery Plan or Land Use Recovery Plan.

A new matter of discretion (d) is proposed as secondary relief to recognise that the assessment of any effects of additional retail floorspace should not be limited to centres, but also the effects on the role of the industrial zone. In giving effect to Objective 6.2.6 (1) and Policy 6.3.6 (5) of Chapter 6 of the CRPS, greenfield priority areas (including the MAIL site) are primarily for industrial activities, and commercial activities are to be restricted.

On this point, Appendix 2 of the Section 32 report states *“When considered as a whole, the greenfields business land will be primarily used for industrial uses. Even if the entire site were used for commercial uses that would only be some 6% of the greenfields business land”* (page 15). This is an incorrect interpretation of what is intended in Objective 6.2.6 of Chapter 6 to the CRPS. The policy direction for industrial areas to be used for primarily industrial activities applies at an individual area level as well as cumulatively throughout Christchurch. If the outcome sought in Objective 6.2.6(2) is interpreted to be cumulative only, then a greenfield priority area could be used for primarily commercial activity with a limited amount of industrial activity (if any). In that situation, the scope for even limited amounts of commercial activity in other greenfield areas would be severely constrained.

The matters of discretion sought in the Council’s relief also seek to achieve consistency with the Council’s Industrial proposal. In particular, clauses (e) to (l) above reflects the matters of discretion for non-industrial activities that do not comply with Activity specific standards in the Industrial proposal, for example, an ancillary retail activity that exceeds the proposed limits on floorspace of 250m² or 25%, whichever is the lesser.

² Paragraph 2.1 of the Insight Economics report states *“Memorial Avenue Investments Limited (MAIL) is seeking to rezone land on the corner of Russley Road and Memorial Avenue. To assist, this report considers potential retail distribution effects associated with substantial retail development on the site. The overall objective is to consider the extent to which retail distribution effects might arise from rezoning of the site, in relation to: The Christchurch central city; Key Activity Centres; District Centres”*.

Submission 5 Wastewater flows and capacity

The Council seeks amendments to the following rules -

- NC6, 16.4.5.1.5 (Any activity which results in the daily average sewage flow from the site exceeding 0.09 L/s/ha); and
- 16.4.5.2.9 (Sewer protection).

Decision sought

1. That rule NC6, 16.4.5.1.5 is amended to state "Any activity which results in the ~~daily average~~ **instantaneous** sewage flow from the site ~~to exceeding 0.09~~ **0.090.5** l/s/ha.

2. That rule 16.4.5.2.9 is amended to state as follows:

Permitted	Non-complying
<p>a. <u>Any activity that does not discharge to the Council's reticulated wastewater network until the upgrade of the Upper Riccarton Interceptor Sewer there shall be no discharge of wastewater from the zone to the Council's reticulated wastewater network to provide capacity to accommodate additional wastewater flows.</u></p>	<p>Non-compliance with this standard</p>

Reasons

Rule NC6, 16.4.5.1.5 as proposed in the private plan change request seeks to limit the average sewage flow volume from the ODP area to 0.09 l/s/ha. This is based on a rule for other zones in the Operative City Plan, and is to restrict activities to 'dry industry', being those businesses with low wastewater flows in order to:

1. support the outcome for a high amenity environment, which heavy industry would not be commensurate with;
2. reduce the risk to groundwater contamination;
2. avoid further pressure on the local and downstream sewer network, even after upgrades required under Rule 16.4.5.2.9.

The activities permitted in the plan change request includes Guest Accommodation. The definition of Guest Accommodation that has been notified in stage 1 of the proposed Replacement District Plan includes Hotels. As stated in the Infrastructure Engineering Report accompanying the private plan change request, hotels can produce greater amounts of wastewater than dry industry.

The Council's Infrastructure Design Standard (IDS) prescribes an average sewerage flow of 0.15 l/s/ha and a maximum sewage flow of 0.75 l/s/ha for the Operative Business 2 and Business 4 zones. The former is a commercial zone, which provides for guest accommodation and the latter is a light industrial zone, intended for light industry located in close proximity to more sensitive areas e.g. residential.

Wastewater will be discharged from the site to the sewer in Avonhead Road, which conveys flows to the Riccarton Interceptor sewer. Both of these sewers have severe capacity constraints, with modelling showing additional manholes overflowing and significant increases in overflow volumes from manholes and constructed overflows. This assumes flows from the MAIL site, residential development to 2041,

and Dakota Park in the Special Purpose (Airport) zone unless upgrades to the Avonhead Road and the upper Riccarton Interceptor are complete (Riccarton Interceptor Capacity Upgrade Scheme Issues and Options Design Report (GHD, 2014) and Impact Assessment of New Development Upon the Wastewater Network (GHD memo, 13 November 2014).

Five major upgrades in the Riccarton Interceptor catchment are recommended in the Riccarton Interceptor Capacity Upgrade Scheme Issues and Options Design Report (GHD, 2014), with a cost estimate of \$21 million to \$35 million depending on which option is chosen for each of the five upgrades. However, Council only has budget for \$13 million of upgrades in the Riccarton Interceptor catchment, so has chosen to upgrade the lower Riccarton Interceptor (between Shands Crescent Reserve and Blenheim Road) and the lower Riccarton Road sewer. This means that the upgrade to the Avonhead Road sewer and upper Riccarton Interceptor (between Ray Blank Park and Clyde Road) will not be completed within the next ten years.

To avoid creating overflow issues on Avonhead Road and in the downstream network, Council supports the plan change request to control the discharge of wastewater through storage on site. It is proposed that the discharge flow is limited to a maximum of 0.5 l/s/ha as further modelling by GHD has shown that this flow level will reduce surcharging in the Avonhead Road sewer and downstream network to an acceptable level, and will avoid the need to upgrade the Avonhead Road sewer. To achieve this flow limit will require diligent attention during design and construction so that there is no stormwater inflow or groundwater infiltration into the system, and careful sizing of the storage tank to buffer diurnal flows.

Having regard to the types of activities permitted in the plan change request, a flow limit of 0.5 l/s/ha is appropriate. This limit continues to restrict heavy industry from locating in the area, the IDS prescribing an average sewage flow for heavy industrial areas (Operative Business 5 zone) of 0.38 l/s/ha and a maximum flow of 1.9 l/s/ha. In doing so, any risk of groundwater contamination remains low subject to the upgrade of the network to provide sufficient capacity.

The Riccarton Interceptor Sewer, which is downstream is currently under significant pressure and the addition of flows from the site could result in overflows. Hence, the requirement in the rule for upgrade of this sewer should be retained. The upgrade to the Riccarton Interceptor Sewer is in two parts, and an upgrade to the Upper Riccarton Interceptor is required to prevent flows from the proposed zone causing severe surcharging and manhole overflows in the area around Waimairi Road and Wentworth Road.

Submission 6 Stormwater management

The Council seeks amendments to the ODP to:

- i. remove the identification of the 'key open space' as a stormwater facility;
- ii. identify the location of stormwater facilities, which provide sufficient capacity in an efficient manner to meet stormwater requirements.

Decision sought

That the ODP is amended to:

- i. remove "Stormwater facility associated with open space" from the area identified as "Key open space locations"; and
- ii. identify proposed areas for stormwater management.

Reasons

The identification of a key open space as a stormwater facility on the ODP effectively combines an area intended for recreational use with an area intended for stormwater management. The use of open space for stormwater management can compromise the use of a space for recreational activities in periods when a basin is wet. Any area identified as open space should be available for workers and visitors to frequent for short visits.

The provision of an area for stormwater management, adjacent to open space i.e. co-location, can maximise recreational opportunities while also contributing to a higher level of amenity due to a larger area of open space. Council therefore seeks the identification of areas for stormwater management, which may be contiguous with while not overlapping areas for open space.

The ODP should define the extent of the proposed areas for stormwater management. Council's preference is for larger spaces that are efficient in design, operation and maintenance rather than linear shaped facilities, which are generally inefficient due to the large ratio of area needed for batter slopes per unit volume of storage.

Submission 7 Setback from Memorial Avenue

The Council **opposes** Rule 16.4.5.2.3 (d) (*Minimum Building Setback from road boundaries*), which specifies a minimum building setback from Memorial Avenue of 10 metres on any site adjacent to Memorial Avenue.

Decision sought

The Council seeks **amendments** to the rule to require a minimum building setback from Memorial Avenue of 20 metres on any site adjacent to Memorial Avenue as set out below –

Applicable to	Permitted	Restricted Discretionary	Matters of Discretion
a. Any activity unless specified in b – f below	6 metres	Less than 6 metres	Minimum Building Setback from Road boundaries – 16.6.1.3
b. Ancillary Offices (only applicable to setbacks from the 'Primary Road' or 'Secondary Road' as defined on the Outline Development Plan in Appendix 16.7.10.	1.5 metres	Less than 1.5 metres	
c. For sites with more than one road boundary (only applicable to setbacks from the 'Primary Road' and 'Secondary Road' as defined on the Outline Development Plan in Appendix 16.7.10.	1.5 metres on one road boundary and 6 metres on any other boundary	Less than 1.5 m on one road boundary and 6 m on any other boundary	
d. Any activity on a site adjacent to Memorial Avenue	10 <u>20</u> metres	Less than 10 <u>20</u> metres	
e. Any activity on a site adjacent to Russley Road	10 metres	Less than 10 metres	
f. Any activity on a site adjacent to Avonhead Road	15 metres	Less than 15 metres	

Reasons

This is a high profile site which has an important function as a gateway to the city. Once the Russley Road overbridge is built the site's visibility will be lessened from some locations, but it will still be highly visible to a large number of people arriving in or passing through Christchurch. Memorial Avenue is important both as the primary route for air passengers between the city and the airport and for its role as a memorial.

The frontage of the zone needs to be a high quality green frontage to reflect the balance of Memorial Avenue and to provide a green gateway to the city in conjunction with the frontage to the golf course. The operative and proposed rules for the Special Purpose Airport Zone on the west side of Russley Road have a required building setback of 20 metres along Memorial Avenue and Russley Road and Council considers that this should be extended along Memorial Avenue to provide continuity.

Submission 8 Activity specific standards

The Council **opposes** the Activity specific standard for permitted activities P1 (Industrial Activity) and P2 (Warehousing and distribution activities) in Rule 16.4.5.1.1 (Permitted Activities) of the plan change request, which specifies as follows:

a. Any display of goods or showroom shall be ancillary to and on the same site as the Permitted Activity and shall not occupy more than 250m² or 25% of the gross floor area of all buildings on the same site, whichever is the lesser.

Decision sought

That Activity specific standard (a) is deleted for activities P1 and P2 of Rule 16.4.5.1.1 as marked below:

16.4.5.1.1. Permitted activities

...		ACTIVITY SPECIFIC STANDARDS
ACTIVITY		
Industrial		
P1	Industrial Activity	a. Any display of goods or showroom shall be ancillary to and on the same site as the Permitted Activity and shall not occupy more than 250m² or 25% of the gross floor area of all buildings on the same site, whichever is the lesser.
P2	Warehousing and distribution activities	a. Any display of goods or showroom shall be ancillary to and on the same site as the Permitted Activity and shall not occupy more than 250m² or 25% of the gross floor area of all buildings on the same site, whichever is the lesser.
...		

Reasons

The activity specific standards for activities P1 (Industrial Activity) and P2 (Warehousing and distribution activities) limit the quantum of floorspace for the display of goods and showroom to avoid this becoming the predominant use, which could otherwise compromise the outcome anticipated of an industrial zone for primarily industrial activities.

The standards are not considered necessary as the display of goods and any showroom is a Retail Activity, defined in stage 1 of the proposed Replacement District Plan as follows:

means the use of land and/or buildings for displaying or offering goods for sale or hire to the public and includes food and beverage outlets, second-hand goods outlets, food courts and commercial mail order or internet-based transactions. It excludes trade suppliers, yard-based suppliers and service stations. (Underlining is my emphasis).

The display of goods and/or a showroom ancillary to an Industrial activity or Warehousing and distribution activity are therefore covered by rule P7 (Ancillary Retail Activity) of Rule 16.4.5.1.1, with the same limits on floorspace.

Submission 9 Activity status for non-compliance

The Council seeks amendments to Rules 16.4.5.2.10 (Hours of Deliveries) and 16.4.5.2.11 (Cycle access).

Decision sought

That the activity status for any non-compliance with rules 16.4.5.2.10 (Hours of Deliveries) and 16.4.5.2.11 (Cycle access) is changed to Restricted Discretionary in the Rules as marked below.

16.4.5.2.10 Hours of deliveries

Permitted	Non-complying <u>Restricted Discretionary</u>	Matters of Discretion
a. No service deliveries shall occur within the zone between the hours of 10.00 pm to 7.00 am	Non-compliance with this standard	Hours of deliveries – 16.6.1.10

16.4.5.2.11 Cycle access

Permitted	Non-complying <u>Restricted Discretionary</u>	Matters of Discretion
a. A cycleway shall be provided between Avonhead Road and Memorial Avenue	Non-compliance with this standard	16.4.5.3.4 Cycle access

Reasons

The amendments sought to the activity status for any non-compliance with the rules is to reflect what is intended, as indicated by the inclusion of Matters of Discretion.