



The proposed **Christchurch Replacement District Plan**

**Submission form**

(For the Memorial Business Park Plan change)

Your submission can be:

Emailed to: dpreview@ccc.govt.nz

Posted to: District Plan Submissions  
Christchurch City Council  
PO Box 73001 Christchurch 8154

Delivered to: Christchurch City Council  
53 Hereford Street, Christchurch

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BY: \_\_\_\_\_

**Submissions on this plan change close Friday 30 January 2015**

**Submitter Details** (All details marked with \* must be provided)

Full Name(s)\* Commodore Airport Hotel Limited  
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Contact person (if different from submitter) Ewan Chapman / Jamie Robinson.

**Trade Competition**

Note: If you are a person who could gain an advantage in trade competition through making a submission, your right to make a submission may be limited by Clause 6(2) Schedule 1 of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014. Please complete the following.

I could gain an advantage in trade competition through this submission. Y  N

If you answered Yes to the above statement please complete the following.

I am directly affected by an effect of the proposal that -

- (a) adversely affects the environment ; and
- (b) does not relate to trade competition or the effects of trade competition  Y  N

**The specific provision that your submission relates to is:**

Please identify the specific provision of the plan change request that your submission relates to by providing the clause number or planning map number; eg provision 14.3.3.3 Site Coverage

Provision number and name \_\_\_\_\_ Map Number \_\_\_\_\_

**My submission is:**

- I support
- I oppose
- I seek to have the above provision amended

If you have more than one submission point, please attach an additional sheet.

Reasons for my submission:

Please see attached

The decision I seek is that the provision:

- Be retained
- Be deleted
- Be amended as follows (please provide the details of the particular amendments you are seeking to the plan change):

Please see attached.

Hearing

I wish to be heard in support of my submission  Y  N

If you answered Yes to the above statement please complete the following:

If others make a similar submission, I will consider presenting a joint case with them at a hearing.  Y  N

Signature of submitter

*James Pat*

Date

29.01.2015.

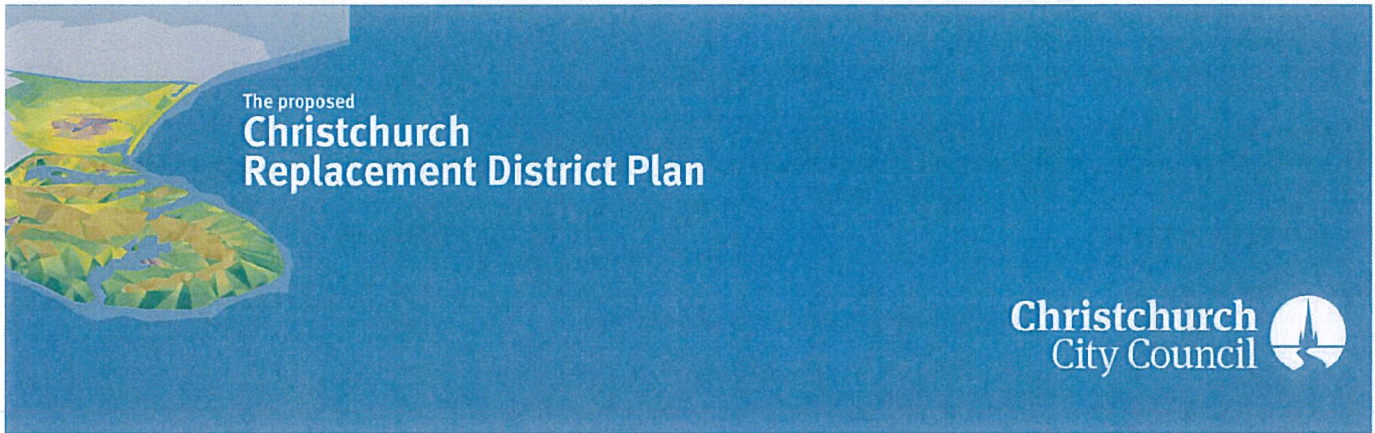
If you require further information about this plan change request please contact the Independent Hearings Panel, email [info@chchplan.ihp.govt.nz](mailto:info@chchplan.ihp.govt.nz) or phone 0800 2424 040

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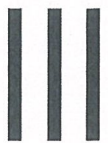
Submissions are public information. Information on this form including your name and contact details will be accessible to the public on the Council's website and at Council service centres and libraries. The Council is required to make this information available under the provisions of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014. Your contact details will only be used by the Council and the Independent Secretariat for the purpose of the District Plan Review process (for example to contact you about hearings and decisions on your submission). The information will be held by the Christchurch City Council. You have the right to access the information and request any correction.



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**SUBMISSION ON THE PRIVATE PLAN CHANGE REQUEST BY MEMORIAL AVENUE INVESTMENTS LIMITED.**

To Independent Hearings Panel

Name of Submitter: Commodore Airport Hotel Ltd (the **Commodore**)

This is a submission on the proposed Memorial Business Park (**MBP**) prepared by Memorial Avenue Investments Limited (**MAIL**) as a private plan change request pursuant to clause 20 of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014.

**Introduction**

- 1 The Commodore Airport Hotel Ltd (the **Commodore**) is the owner of the Commodore Hotel (the **Hotel**) located on land adjoining the eastern boundary of the MBP (**Eastern Boundary**). This land is currently zoned Living 5 (travellers accommodation). The Hotel owners also own land adjoining the Hotel site which is proposed to be included within the boundaries of the MBP (the **Commodore's Residential Land**). This land is currently zoned Rural 5 and is used for residential purposes, specifically the Hotel manager's house.
- 2 The Commodore Hotel is a family owned hotel, which was first developed in 1971. The Hotel has for a long time enjoyed a rural aspect to its location, which has inevitably become part of the Hotel's identity and significantly contributes to the high amenity values associated with the Hotel. Accordingly the rezoning of adjoining land is a significant concern for the Commodore, particularly given it will inevitably mean the loss of a rural aspect that has long been enjoyed by the Hotel and the potential for detrimental impacts posed by the industrial and business development to the Hotel (as well as surrounding land).
- 3 For these reasons, the Commodore's strong preference is for the proposed MBP land to retain its rural zoning. However where a business rezoning is to occur, then the impacts of the business development require a high level of mitigation control to ensure the amenity values of the Hotel and surrounding area are maintained.

**Rezoning of Commodore Land**

- 4 As mentioned at paragraph 1 above, the Commodore's Residential Land is proposed to be included within the boundaries of the MBP. The Commodore wishes to make clear that it was never consulted, and MAIL have proposed that this land be rezoned without seeking information or consent from the Commodore. This clearly shows that the Commodore are directly affected by this application, both as a landowner within the proposal, and a landowner directly adjacent.
- 5 The Commodore oppose the rezoning of the MBP in its current form, as it attempts to severely limit what the Commodore are able to do with that land in the future. The proposed master plan (Figure 2 of the MBP site Proposed Future Development Design Guidelines) identifies the Commodore Residential Land as "an area with no additional building", and this is supported in Rule 16.4.5.1.5 which proposes new buildings in this area to be a non-complying activity. This raises the following issues:
  - 5.1 As it stands, the Commodore Residential Land is able to be developed in accordance with the Rural 5 rules in the Christchurch City Plan. This proposal suggests rezoning the land as "Industrial Park Zone", but then removing any of the Commodore's rights to develop the land in accordance with these rules. It also requires the applicant to get a resource consent for a non-complying activity if it wishes to build anything further on this site. The applicant is in no position to offer to the Hearings Panel that no additional buildings will be developed in the Commodore Residential Land, as it is not MAIL's land to make a decision on.

- 5.2 Further to the above, the applicant in Figure 4 appears to be offering the Commodore Residential Land as an open space (and we note that the Commodore land is much larger than the other two open space areas identified). We understand that the applicant is making this application on the basis that the MBP will be a 'high amenity area'. We submit that it is inappropriate to attempt to use land owned by other parties who do not support the proposal to increase the amenity of the area.
- 5.3 It is submitted that the Commodore Residential Land is the least appropriate land in the proposed MBP site to remain undeveloped. Unlike the other established sites on the Rural 5 land, the Commodore Residential Land is already bordered by a commercial zone on one side. Therefore, to establish more business activity on all sides and leave this as an open space will effectively result in 'spot zoning', which is undesirable from a planning perspective.
- 5.4 In addition to the above, the Commodore wish to suggest that the more appropriate place to establish the open space would be on the Memorial Avenue/Russley Road corner. The applicant places great weight on the proposed MBP maximising the 'gateway' amenity experience of visitors to the city, however it makes no attempt to really establish that corner as an attractive, open area.
- 5.5 Finally, it is noted that the Commodore Residential Land has arguably the safest point of access of any of the proposed MBP off Memorial Avenue, as it is the furthest distance from the busy Memorial Avenue/Russley Road intersection, and also from the Memorial/Roydvale Avenues intersection.

#### Traffic issues

- 6 The Commodore are concerned about the potential for adverse effects on the safe and efficient performance of their site accesses created by the very large traffic generation identified by the Transportation Assessment report provided in conjunction with the application for plan change.
- 7 The majority of the traffic generated by the MBP would use a new signalised intersection on Memorial Avenue, some 50 metres from the driveway to the Commodore Residential Land. The main access to the Hotel is some 180 metres from this intersection. While the access to Stableford Green (Russley Golf Club) has been included in the simulation model used to assess the local access effects of the MBP, the main access to the Hotel has not been included. It is submitted that this access way could generate more traffic than Stableford Green, and so should have been included in the transport assessment. The proposed MBP will increase the evening peak period by 140% from existing volumes in the traffic on Memorial Avenue in the vicinity of the Hotel's access. Further, the plan change is expected to add 50% to the 2026 traffic forecasts. Therefore, the effect on the Hotel's access and the Commodore Residential Land's access could be significant.
- 8 The Commodore seeks as part of the plan change process the ability to view the calibration report for the revised simulation model to better understand the full assessment of traffic effects including on the traffic signalised intersections along Memorial Avenue.
- 9 The traffic assessment indicated that some 30% of the generated traffic will use the proposed accesses on Avonhead Road. Avonhead Road is to become a cul-de-sac with the 4-laning of Russley Road, which will mean all MBP traffic will have to pass the Commodore access way on Avonhead Road. The assessment report contains no consideration of potential adverse effects on the performance of the Commodore access way (or the other driveways on Avonhead Road) or that of the Avonhead Road/Roydvale Avenue intersection.
- 10 The Commodore seek that the traffic modelling be modified to include the effects of the MBP on the performance of the Hotel's Memorial Avenue access way.

- 11 Further, it seeks that the proposed zoning of the MBP site be restricted in such a way that the potential does not exist for developments that will adversely affect the safe and efficient operation of either of the Commodore's access ways, or the intersections in the general area.

### **Activity status within the MBP**

#### *Permitted uses.*

- 12 The application includes "industrial activities" as permitted activities within the MBP. The proposed definition of "industrial activity" in the District Plan Review encompasses a wide range of uses that have the potential to create adverse effects, which is of concern to the Commodore. For example, manufacturing, repairing, fabricating and processing of goods could involve uses that create noise and odour and smoke. Large warehousing buildings could also adversely affect visual amenity values, including glare effects. This is of particular concern to the Commodore, where the Hotel's guest facilities and accommodation look directly out over the MBP site.
- 13 Further, "service industry" activities are also permitted within the MBP, which includes vehicle repairing. If an activity such as panel beaters was located in the MBP adjacent to the Hotel, this would adversely affect the hotel's business. Therefore this submission requests "service industry" be removed from the list of permitted activities.

#### *Non-complying activities*

- 14 The application proposes that "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" be a non-complying activity. Although the Commodore Residential Land would still be able to be accessed via existing use rights, it is submitted that imposing a non-complying activity status on any upgrade or change in use is inappropriate.
- 15 As mentioned above at paragraph 5, the proposed MBP is suggesting a non-complying activity status for new buildings on the Commodore Residential Land. It is submitted that imposing this strict standard on land not held by the applicant is presumptuous, and the applicant should be using its own land to achieve its commitment to maintaining the amenity of the site.

### **Built Form Standards**

- 16 The Commodore is concerned that industrial activities proposed to be located on land adjacent to the Hotel will cause noise, odour, smoke, visual or glare effects, which would be detrimental to the amenity of the Hotel and its business. While we understand that the proposed Business Park zoning is intended to support a high amenity environment dominated by open space and landscaping, the Commodore does not have confidence that the rules as currently drafted will ensure the Hotel will not suffer from detrimental amenity impacts.
- 17 The proposed Built Form Standards do not place satisfactory restrictions on potential effects of industrial activities allowed within the MBP and in particular on the boundary of the land the Hotel shares with the MBP. Therefore, we are not satisfied that there are adequate controls to ensure that the MBP is a "high amenity environment" involving industrial activities with "negligible effects" that will not adversely affect the Commodore's hotel business and the surrounding land.
- 18 Accordingly, a number of issues are identified regarding the proposed Built Form Standards, as set out below.

#### *Height*

- 19 The draft rules have set a maximum height limit of 15m for the majority of buildings within the proposed MBP, however guest accommodation is proposed to be permitted up to 20 metres.

- 20 In our submission, a more appropriate limit for maximum building height within the MBP is 13 metres, and this would apply to all buildings. This would accommodate the office activities planned for the MBP while maintaining visual amenity values associated with the surrounding area, including the Commodore Hotel.

#### *Setbacks*

- 21 The proposed 10 metre setback between Memorial Avenue and the MBP is not considered to be sufficient to protect the high visual amenity and memorial values of Memorial Avenue. This road setback should be extended to 30 metres.
- 22 Rule 16.4.5.2.3 also notes that any application arising from non-compliance with the setback rule will not require written approvals and will not be notified. We oppose this addition, as we submit it is important for the amenity of these roads – particularly Memorial Avenue – that these setbacks are not decreased. Any attempt to minimise the setback should require notification.
- 23 We appreciate that the applicant has identified that a larger setback is required for the Eastern Boundary and residential areas, however it is our submission that a setback of 20 metres is the bare minimum to meet the amenity needs of these areas. This setback is necessary to ensure the visual and amenity values associated with the Hotel are not compromised by industrial activity occurring on land immediately adjacent to the Hotel.

#### *Storm water*

- 24 The continuation of the storm water channel along Memorial Avenue in front of the Commodore's Residential Land is opposed.
- 25 It is proposed that a storm water retention area/swale be located partly within the proposed setback between the Commodore's Residential Land and the MBP.

#### *Reflectivity/Design Amenity Issues*

- 26 Provision RD3 in the draft rules makes the erection of new buildings on sites within 50 metres of all the road boundaries a restricted discretionary activity, with Council's discretion limited to design and amenity.
- 27 However no provisions are proposed to provide design and amenity requirements for industrial activities located near the MBP Eastern Boundary. For the reasons set out earlier, mitigation controls are required to ensure the amenity values associated with the adjacent Hotel are not compromised.
- 28 Accordingly, we request that the Built Form Standards include the equivalent provision to RD3 for new buildings on the Eastern Boundary of the MIP.

#### *Landscaping*

- 29 The provisions addressing landscaping set out in standard 16.4.5.2.7 should be more prescriptive. Although particular tree planting is required for specific areas in the MBP, the general requirement that 20% of the site be "landscaped" (16.4.5.2.7 (a)) is considered to be insufficient to ensure that the MIP will have a high visual amenity.
- 30 Landscaping is addressed with regards to the Eastern Boundary, however the requirement is only half that for road frontages. Therefore, more specific landscaping requirements are required for the Eastern Boundary because of the potential detrimental visual impact of industrial buildings for the Hotel. As outlined above, it is critical to the Commodore's business that the visual and amenity values of the Hotel are not compromised.
- 31 If required, further detail can be provided in respect of the specific landscaping requirements for the Eastern Boundary.

## Noise

- 32 A noise restriction standard is required to ensure amenity values are protected and particularly in relation to the land on the Eastern Boundary of the MBP. It is not sufficient to rely on the hours of operation to control noise, as the Hotel is sensitive to noise effects at all times.

## RGA Rezoning

- 33 We propose that the Commodore's Residential Land be rezoned Residential Guest Accommodation (**RGA**), which is the zoning proposed for the Hotel land. We understand the proposed RGA zone will reflect the current Living 5 (travellers accommodation) standards, although these rules have not yet been drafted.
- 34 Rezoning the Residential Land to RGA is reasonable in the circumstances where there is an existing residential use on the site. This land has always been closely related to the existing Hotel land in terms of how this land is viewed from Memorial Avenue and given that it houses the Hotel manager. It is a more appropriate zone for this land, which because of its location immediately adjacent to the existing Hotel may be redeveloped in the future for the purpose of expanding the Hotel. It is land in the ownership of the Commodore Hotel owners and as such will not be considered for industrial redevelopment. It is not considered appropriate to effectively place land with an existing residential use and which essentially comprises part of a Hotel site into a business park.

## Traveller's/Guest accommodation

- 35 The travellers accommodation overlay as shown on the Draft ODP within the MBP is strongly opposed because it is contrary to the directions within the Canterbury Regional Policy Statement (**RPS**), as it is not a business use. Further it will be detrimental to the development of travellers accommodation and commercial activities within the central city of Christchurch (the **Central City**).
- 36 Additionally, we disagree with the findings in the report by the Memorial Avenue Investments Limited Project (the **MAIL Report**) that there is demand for a new hotel or motel development within the MIP.

### *Consistency with the Canterbury Regional Policy Statement (RPS)*

- 37 The RPS became operative on 15 January 2013. As the RPS is a higher policy document in the planning hierarchy, the District Plan must be consistent with it.
- 38 Chapter 6 of the RPS addresses the rebuilding and redevelopment of greater Christchurch. The Chapter directs urban development to certain areas as identified on 'Map A Greenfield Priority Areas', (Policy 6.3.1). In terms of business development, there is a strong direction that commercial business should be located within the central city; whereas industrial business activities should be located within the greenfield areas identified on Map A (Policy 6.3.6). This is to encourage markets to compete fairly for similar uses, by discouraging high value uses (e.g. travellers accommodation and retail activities) from developing on low value land and preventing that land from being used by industrial activities.
- 39 Providing for a new travellers accommodation within the MBP is contradictory to the direction that the site is used for industrial activities as well as the direction that this type of business activity be located within the Central City. It is contrary to the direction that discourages high value uses from developing on low value land and, as discussed below, it will be counterproductive to establishing a fair market for travellers accommodation within the Central City.
- 40 Accordingly, the new travellers accommodation proposed within the MBP is not consistent with the RPS and therefore this type of activity should not be allowed for within the MBP.

### *Effects on Central City Development*

- 41 Establishing new travellers accommodation outside the Central City will discourage and slow down redevelopment of travellers accommodation within the Central City. This is because it effectively creates a market where it is cheaper to run accommodation on low value land outside the Central City and developers within the Central City purchasing high value land must compete with those options outside of the Central City.
- 42 We emphasise that the MAIL Report takes a too narrow view when assessing the impact on the potential developers of new travellers accommodation within the Central City by only focussing on developments around the convention centre. The impact on a wider range of developments needs to be considered.
- 43 Discouraging travellers accommodation within the Central City has the flow on effect that visitors/tourists will not spend as much time in the Central City, depriving commercial developments within the Central City of business. At the same time, commercial developments will look to set up around the travellers accommodation out of the Central City, which adds to the dispersal of business activity from the Central City.
- 44 If the bulk of this type of development is not contained within the Central City there is a real risk of ending up with a "doughnut" effect; with infrastructure being situated around the edges and not enough demand left to establish facilities in the Central City.
- 45 Finally, the MAIL Report emphasises that the wider redevelopment within the Central City is progressing at a slower pace than anticipated, which consequently delays the development of travellers accommodation within the Central City. In the MAIL Report this delay is used to justify the "medium-term" need for a travellers accommodation facility within the MIP. However, this conclusion ignores the impact on developing travellers accommodation outside of the Central City, which for the reasons above will make it more difficult for developers within the Central City to set up travellers accommodation.

### *Demand for Hotel*

- 46 We disagree there is a demand for another travellers accommodation development near the airport, in addition to current developments occurring.
- 47 The MAIL Report appears to have been prepared in 2013 using information primarily from 2011 and 2012 and as such is not up to date with regards to supply in the airport area, where there has been and is currently significant hotel development.
- 48 The Airport Gateway has added 35 rooms, the Commodore Hotel 20 rooms and the Sudima and Clearwater Resort are both in the process of adding around 40 rooms each. This additional supply equates to the addition of another hotel. The Sudima is also in the process of upgrading from a 3 star plus rating to 4 star hotel.
- 49 We note that although occupancy levels in Christchurch peaked in the year ending December 2011 at 84.1%, in the year ending December 2013 they had fallen to 76.1%. There is a very clear correlation with any increase in hotel room supply and a decreasing overall occupancy level.
- 50 The MAIL Report refers to the development of a number of hotels at Auckland Airport. This is a very different situation where Auckland Airport was essentially not being serviced by any major hotel groups and this motivated the hotel management companies to create a presence there. Christchurch Airport is already serviced by three major hotel groups – the Commodore, Peppers and Sudima as well as a number of motels. Further, Auckland city is significantly further away from the airport compared to Christchurch city which is only 15 minutes and a much easier drive away. Therefore there is less need in Christchurch for accommodation at the airport to accommodate late arrivals and early departures. When considering the population size of Auckland and the number of flights Auckland airport caters for, the current Christchurch hotel capacity in the airport area is very relative.



*Visual Amenity Issue*

- 51 The proposed travellers accommodation may be considered to have appeal because it may present a better alternative, from a visual amenity perspective, to an industrial activity fronting Memorial Avenue. However, this is an issue that can be dealt with through proper consideration being given to the built form rules applicable to sites fronting Memorial Avenue.

**Date** 29 January 2015



Ewan Chapman / Jamie Robinson as agent for the submitter

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