

**SUBMISSION ON MEMORIAL BUSINESS PARK PRIVATE PLAN CHANGE REQUEST  
UNDER CLAUSE 20 OF THE CANTERBURY EARTHQUAKE (CHRISTCHURCH  
REPLACEMENT DISTRICT PLAN) ORDER 2014**

**To:** Christchurch City Council ("**Council**")

**Name:** Andrew Centre Limited ("**ACL**")



**Introduction**

1. This is a submission by ACL on Memorial Avenue Investments Limited's ("**MAIL**") private plan change request under clause 20 of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 ("**Proposal**"), which seeks:
  - (a) the rezoning of MAIL's site at the intersection of Memorial Avenue and Russley Road, Christchurch ("**Site**") to a site specific Industrial Park (Memorial Avenue) zone; and
  - (b) provisions for that zone to be considered with, and included as part of, the Industrial Chapter of the Proposed Christchurch Replacement District Plan ("**Proposed Plan**").
2. ACL owns the bare property at 772 Colombo Street, opposite Victoria Square, which borders Armagh Street and Oxford Terrace.
3. ACL could not gain an advantage in trade competition through this submission. Even if it were considered to be able to gain an advantage in trade competition, ACL is directly affected by the Proposal.
4. ACL wishes to be heard in support of its submission.

**Scope and nature of submission**

5. This submission relates to the Proposal in its entirety.
6. ACL opposes the Proposal in its entirety for the reasons set out below.

**General reasons for submission**

7. ACL considers that the Proposal:
  - (a) will not promote the purposes of the Canterbury Earthquake Recovery Act 2011, is contrary to the purposes and provisions of other relevant planning documents, including the Land Use Recovery Plan ("**LURP**"), and fails to give effect to the Canterbury Regional Policy Statement;
  - (b) will not promote sustainable management of resources, will not achieve the purpose of the Resource Management Act 1991 ("**RMA**") and is contrary to Part 2 and other provisions of the RMA;
  - (c) will not enable the social, economic and cultural wellbeing of the Christchurch community;
  - (d) will not meet the reasonably foreseeable needs of future generations, including by sustaining the potential of the significant physical resource represented by ACL's assets in Christchurch for the future; and
  - (e) does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means, and do not discharge the Council's duty under section 32 of the RMA.

### Specific reasons for submission

8. Without limiting the generality of the above, ACL's specific reasons for its opposition are set out below.
9. In the wake of the 2011 and continued Christchurch earthquakes, the CBD as a destination for tourism, leisure, business and retail activity has been greatly scarred. Accordingly, there has been a focus on its recovery and redevelopment. This is evident through the primacy accorded to it in a number of planning documents, including the LURP, the Christchurch Central Recovery Plan and the Proposed Plan.
10. Re-establishing the vibrancy and vitality of the CBD is of fundamental importance to the recovery of Christchurch as a whole. In particular, the CBD plays a significant functional and social role to Christchurch and the broader Canterbury region.
11. The Proposal seeks to enable a wide range of activities on the Site. The range and scale of activities contemplated by the Proposal will threaten the redevelopment of the CBD and the integral functional and social role that it serves for Christchurch and the broader Canterbury region. Any proposal that undermines the functional and social role of the CBD will directly affect ACL.
12. It is therefore critical that the Council does not undermine that role, and the opportunities for the redevelopment of the CBD, through an inappropriate, ad hoc and un-coordinated enablement of a significant range and scale of activities on the Site.
13. Given the Site's location and the surrounding land use, a zoning that enables industrial activities would more appropriately complement the function of the CBD and the overall recovery and redevelopment of Christchurch.

### Relief

14. ACL seeks the following relief (or alternative relief to similar effect to ACL's satisfaction):
  - (a) That the Proposal be declined.
  - (b) As an alternative and less preferred option, if the Proposal is not declined, that the Proposal be substantially amended to narrow the range and scale of activities enabled by the Proposal to industrial activities.
  - (c) Such further or other relief or other consequential or other amendments to the Proposal as considered appropriate and necessary to address ACL's concerns.

### Signature:

**ANDREW CENTRE LIMITED** by its solicitors and authorised agents Russell McVeagh:




---

Bronwyn Carruthers / Daniel Minhinnick

### Date:

30 January 2015

### Address for service:

C/- Daniel Minhinnick  
 Russell McVeagh  
 48 Shortland Street  
 PO Box 8  
**AUCKLAND 1140**

### Telephone:

09 367 8714

### Facsimile:

09 367 8590

### Email:

daniel.minhinnick@russellmcveagh.com