

**SUBMISSION ON THE PROPOSED CHRISTCHURCH
REPLACEMENT DISTRICT PLAN**

To Christchurch City Council
Christchurch
By email: dpreview@ccc.govt.nz



Name of submitter: **G N McVICAR NO 1 TRUST**
(as owner of 540 Avonhead Road)
("the Submitter")

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This is a submission on the Proposed Christchurch Replacement District Plan in relation to:

- **Memorial Business Park Plan Change**

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

The specific provision of the plan change request that this submission relates to is:

- The entire request.

The submitter **supports** the plan change request **subject to** changes involving deletion of all reference to the Runway End Protection Area (REPA) designation proposed by Christchurch International Airport Limited (CIAL), together with deletion of the permitted activity rule (Rule 16.4.5.1.1 P15) that allows land within the ODP identified as being subject to the REPA controls being able to be used for car parking as a permitted activity.

The reasons for this submission are:

- 1 The Submitter supports the rezoning of the land for 'business' activities, although it is opposed to the conflation of this rezoning request with a separate process by which CIAL seeks to introduce a designation over the land.
- 2 The Submitter has lodged a submission to the request by CIAL for a rollover of its existing Airport Purposes designation with modification in so far as that modification will introduce controls for REPA purposes on its land. That submission is being dealt with through the Replacement District Plan hearing process. It is inappropriate to merge the "underlying" zoning of the land with the provisions of a designation, particularly where that has not yet been confirmed.

- 3 The underlying zoning of the land should be considered in light of orthodox RMA principles and standards that apply to a rezoning of land, without regard to the prospect that a designation might be “brought down” over part of the land.
- 4 Whereas the proponent of the plan change sought to make some provision for permitted activities on land that might be affected by the REPA designation, that permitted activity regime would in any event be overridden by the regime of controls that flow from the REPA designation (if confirmed) which overrides the underlying zoning of the land.
- 5 Accordingly, the Submitter asks that the plan change request be considered independently of CIAL’s request for a modified designation over part of the land, which at this point has not yet been confirmed. The underlying zoning will not preclude a designation and there is no prejudice to CIAL if the plan change request is considered on its merits without any reference to the request for a designation for REPA purposes.

The Submitter seeks that the plan change request be confirmed subject to:

- Deletion of the proposed REPA on the ODP; and
- Deletion of permitted activity Rule 16.4.5.1.1 P15.

The Submitter wishes to be heard in support of this submission.

Dated this 30th day of January 2015.



P A Steven QC

For G N McVicar No 1 Trust