

**BEFORE THE CHRISTCHURCH REPLACEMENT DISTRICT PLAN
INDEPENDENT HEARINGS PANEL**

In the matter of the Resource Management Act 1991 and the Canterbury
Earthquake (Christchurch Replacement District Plan) Order 2014

And

In the matter of the Christchurch Replacement District Plan: Proposal 21
(Specific Purpose (Tertiary Education) Zone)

**CLOSING SUBMISSIONS FOR THE UNIVERSITY OF
CANTERBURY**

(Submitter number 2464)

10 November 2015

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INTRODUCTION

- 1 These closing submissions are made on behalf of the University of Canterbury (**UC**) in relation to the the Specific Purpose (Tertiary Education) Zone (**SPTE Zone**) hearing held on 3rd and 4th November 2015. These submissions will cover the following points:
 - 1.1 Outline plan of the car parking at UC;
 - 1.2 Rationale for the introduction clause (g) in the Stage 2 definition of 'Site' in the pCRDP;
 - 1.3 Further matters relating to car parking
 - 1.4 Urban design issues
 - 1.5 Responses to the statements of the IURRA and Toni Carter in the SPTE Zone hearing.

CAR PARKING PLAN

- 2 Annexed and marked "A" is a map of UC highlighting the car parking available. This map has been provided with the consent of Counsel for the Christchurch City Council, and has been ascribed reference "Exhibit 2" to the SPTE Zone hearing

CLAUSE (G) AMENDMENT TO THE DEFINITION OF 'SITE'

- 3 The Panel has advised UC that it wishes to hear reasons why the Council has drafted clause (g) to be inserted into the definition of 'site' at the Stage II notification.
- 4 The definition of site in the plan prior to stage II was applicable to all sites – irrespective of zoning. UC's position was that because the initial part of the definition prescribed site to be an area of land with **defined boundaries** it needed to look no further than the initial definition. The further particulars contained within "site" definition relating to subdivision and title boundaries were not relevant to UC's position.

- 5 The insertion of an isolated, added-definition clause which is specific solely to the Tertiary Education part of the Special Purpose Zone can only be for regulation of car parking on UC's site – in a more prescriptive manner than if the Stage I definition were left untouched. Prescriptive rules relating to car parking should be more appropriately contained in the SPTE Zone rules than in the broad overall definition of "site" in the plan.
- 6 The evidence of Ms Lemon, on the absence of any other consequences from the deletion of the "general city wide standards" in the definition (g) was unchallenged by Counsel for the Council. Her evidence can accordingly be relied on and given weight.
- 7 It is also submitted that clause (g) may have been drafted to address concerns about built form standards being applied widely across UC as one site, rather than to UC's three campus areas. UC does not oppose being treated as three sites for the purposes of built form standards.

FURTHER MATTERS RELATING TO CAR PARKING AT UC

- 8 At the hearing Counsel for UC and the Council recorded their willingness to engage in the drafting of an amendment to the plan to provide for the spreading of car-parking across the campus. However three issues arise from the evidence and the status of the plan which are relevant to consider prior to the rewording of any rule. These matters are:
 - 8.1 On the evidence of Oliver and Cochrane, and the plan attached to these submissions, the Panel has evidence that UC has not aggregated carparking on one particular site. On the evidence of Oliver [Transcript at 151/10]the ratio of carparking between Ilam and Dovedale is 2,400:600.
 - 8.2 Secondly, on the evidence of Cochrane at [Transcript 133/40] UC, as the single owner of the site, has no intention to concentrate car parking on one site. Accordingly, it is submitted that the need for control is academic in nature, rather than to produce a better outcome to cure a mischief, that is not apparent on the evidence.
 - 8.3 Thirdly, while Counsel have consulted on a rule, its introduction into a now operative Transport section is problematic for the Panel – as the operative plan is not demonstrating any overt mistake. At best, the

Panel may consider it has jurisdiction to make a change to an operative section to achieve overall compliance and cohesion.

- 9 For the above reasons UC consider that its amendment to the (g) definition is the preferred outcome.
- 10 However, should the panel require a more prescriptive outcome then the logical place for amendment is for a new clause in Appendix 7.1 to the transport section after clause 8, reading:

Appendix 7.1 – Parking space requirements

For the purposes of the land held by the University of Canterbury in the SPTE Zone, car parking requirements are to be assessed with regard to the following matters:

The University of Canterbury SPTE land is to be treated as one site;

Car parking shall be provided to staff and students of the University as set out in Table 7.2 below

Not less than 20% of the car parks shall be provided West of Waimari Road and 30% shall be provided East of Ilam Road with the balance provided by University of Canterbury across the site.

URBAN DESIGN ISSUES

- 11 UC holds to its position taken in opening, that the matters raised by both its own and the Council's urban design experts relating to an overarching urban design rule applicable to the site is beyond scope.
- 12 It otherwise says that such a controlled activity rule is unnecessary on the evidence of Cochrane and Jolly that UC does, and will, employ architects to provide building modulation to its large building developments. The Panel can also have regard to the fact that the site is controlled by a single owner and the evidence of Cochrane [Transcript 132/19ff]that UC runs a business which attracts students in part because of the quality of its built environment
- 13 However, again for the sake of completeness, and to address the Panel's concerns with the subjective assessment criteria proffered by the experts, the two experts have reconsidered the wording in a proposed rule and come up with the following proposed rule – should the Panel deem that such a rule will produce a better outcome **and** consider there is scope to do so. The


proposed rule is attached as Appendix 2. Whilst preferable to the initial proposal, the rule still contains elements of subjectivity which will not be readily understood by the general public.

- 14 It is further submitted that the plan is not, of itself, an urban design manifesto for the City.
- 15 UC leaves this matter to the overall judgment of the Panel.

RESPONSES TO IURRA AND TONI CARTER

- 16 The Panel has invited UC to respond in closing to the statements of the IURRA (submitter 2180), and Toni Carter (submitter 2211).
- 17 Counsel submits that the hurdles relating to the control of alcohol raised by the submitters' statements were well canvassed by the Panel during the course of delivery of the statements and it has nothing further to add by way of closing.

Dated 10th November 2015



Ewan Chapman
Counsel for University of Canterbury