

**BEFORE AN INDEPENDENT HEARINGS PANEL
IN CHRISTCHURCH**

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHI

UNDER the Resource Management Act 1991 (the **RMA**)

AND

IN THE MATTER OF the hearing of submissions on Plan Change 14 (Housing
and Business Choice) to the Christchurch District Plan

**STATEMENT OF REBUTTAL EVIDENCE OF ELIZABETH JANE WHITE ON
BEHALF OF CHRISTCHURCH CITY COUNCIL**

RESIDENTIAL CHARACTER AREAS QUALIFYING MATTER

Dated: 9 October 2023

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
INTRODUCTION	1
SCOPE OF REBUTTAL EVIDENCE	2
CONSIDERATION OF CERTIFICATES OF COMPLIANCE	2
THE RELEVANCE OF RESIDENTIAL HERITAGE AREAS	3

EXECUTIVE SUMMARY

1. This rebuttal evidence addresses two matters raised in relation to the approach taken to Residential Character Areas (**RCAs**) in the evidence of Mr Tim Joll on behalf of Kāinga Ora.
2. The first relates to whether it is appropriate to amend the methodology used for classifying sites in RCAs to re-classify sites for which a Certificate of Compliance (**CoC**) has been issued for demolition. I do not agree with re-classifying sites on the basis of a CoC given that a CoC simply reflects the current permitted activity status for demolition within these areas and would apply to all sites within these areas. Instead, I agree with the classifications being based on the contribution the existing built form makes towards the character values of each area.
3. The second matter relates to clarifying my position in relation to where RCAs and Residential Heritage Areas (**RHAs**) overlap. More specifically, I do not consider that the identification of an area as an RHA has any bearing on the assessment of whether an area meets the criteria for being an RCA. Rather, I consider that where an RHA and RCA overlap, removing a RCA to allow for intensification (despite it meeting the criteria) would have limited impact in terms of enabling further intensification because of the restrictions imposed by virtue of it also being an RHA.

INTRODUCTION

4. My name is **Elizabeth (Liz) Jane White**. I am a self-employed planning consultant.
5. I prepared a planning officer's report pursuant to section 42A of the Resource Management Act 1991 (the **Act / RMA**) dated 11 August 2023 (**Section 42A Report**). My Section 42A Report considered the issues raised by submissions and further submissions on Plan Change 14 to the Christchurch District Plan (the **District Plan; PC14**), and made recommendations in response to the issues that emerged from those submissions, as they applied to the RCA Qualifying Matter.
6. I have the qualifications and experience set out at paragraphs [2.1.2] – [2.1.3] of my Section 42A Report dated 11 August 2023.

7. I repeat the confirmation given in my Section 42A Report that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023, and that my evidence has been prepared in compliance with that Code.

SCOPE OF REBUTTAL EVIDENCE

8. In preparing this rebuttal statement, I have read and considered the evidence filed on behalf of submitters, as that evidence relates to my Section 42A Report, including the evidence of Mr Joll on behalf of Kāinga Ora.
9. In this evidence I respond to the following issues raised in the evidence of Mr Joll:
 - (a) Whether CoCs should be considered in the assessment of classifying sites within RCAs; and
 - (b) The relevance of RHAs when considering the extent of RCAs.

CONSIDERATION OF CERTIFICATES OF COMPLIANCE

10. In his evidence, Mr Joll states that the methodology applied to assessing RCAs does not take into account unimplemented resource consents or CoCs, noting that Kāinga Ora holds a CoC which provides for the demolition of buildings on approximately 20 sites within RCAs.¹ He considers that as these buildings can be demolished without the need for any resource consent, they should be classified as 'Neutral' rather than 'Primary' or 'Contributory'.² This issue was not raised in the submission of Kāinga Ora.
11. The CoC issued for demolition reflects that in the District Plan, demolition in RCAs is not controlled (i.e. it is permitted). Using Mr Joll's argument, as any building in an RCA could currently be demolished without the need for a resource consent, all sites would be classified as 'Neutral' and as such, there would be no RCAs. I therefore do not agree that the sites for which a CoC has been granted should be re-classified given that currently the buildings remain on-site and have been appropriately assessed as to whether the built form (in combination with landscape elements) define (Primary), or support (Contributory) the character of an area.

¹ Statement of Evidence of Tim Joll on behalf of Kāinga Ora – Homes and Communities, 20 September 2023, at [9.21].

² Ibid.

THE RELEVANCE OF RESIDENTIAL HERITAGE AREAS

12. Mr Joll disagrees with my evidence that “*removing specific Character Areas would have limited impact in terms of enabling greater built form within those areas, because the provisions applying to Residential Heritage Areas reduce the permitted level of built form in these areas from those of the MDRS.*”³ He states that whether an area may appropriately be considered a RHA is irrelevant to whether it is also a RCA, as the two have different methodologies and seek to achieve different purposes.⁴
13. I agree with Mr Joll that the identification of RHAs and RCAs have different methodologies and serve a different purpose. However, the areas where I was considering the appropriateness of removing the RCA overlay are areas that do meet the criteria for being RCAs and could therefore be identified as such. My consideration was about whether the location and suitability of RCAs for intensification outweighed the need to preserve character in those areas, when considering the outcomes sought in the NPS-UD, CRPS and District Plan as a whole. The point I was making was that because an RHA also applies to certain areas where this might otherwise be the case, removing the RCA would not allow for intensification enabled by the aforementioned planning documents to occur and therefore no real benefit (in terms of enabling development) would arise from removing the RCA from these areas.

Liz White

9 October 2023

³ This was in my Section 42A Report at [8.2.27] and [8.2.30].

⁴ Statement of Evidence of Tim Joll on behalf of Kāinga Ora – Homes and Communities, 20 September 2023, at [9.23].