

**BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE
CHRISTCHURCH CITY COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of submissions on Plan Change 14 to the
Christchurch District Plan

**SUMMARY OF EVIDENCE OF CATHERINE MARY LOUISE BOULTON
ON BEHALF OF CHRIST'S COLLEGE (SUBMITTER #699)**

8 November 2023

Introduction

1. My full name is Catherine Mary Louise Boulton. I provided planning evidence relating to the submission from Christ's College (Sub #699) as dated 20 September 2023. That evidence outlines my qualifications, experience and compliance with the Code of Conduct. I maintain that compliance in this Hearings Summary.
2. There are three main matters which I wish to speak to today.

**[Matter A] Imposition of Inner West Residential Heritage Area over Christ's
College Specific Purpose School Zoned Land**

3. Christ's College is a major educational institution within the Central City. The college land is located on either side of Rolleston Avenue. Given the significant development constraints which makes future development at this main campus challenging (heritage settings, items and waterway setbacks), the school land on the eastern side of Rolleston Avenue is where future redevelopment of College land will be focused.
4. Christ's College land has a Specific Purpose School Zoning – except 21 Gloucester Street which I will discuss shortly. This zone enables education providers to flexibly and efficiently develop the land for education activities as a permitted activity subject to meeting the built form standards which are determined by alternate zoning listed in the District Plan. For example, the maximum site coverage within this school zone differs depending on whether the alternate zoning of the land is Medium Density Residential or High Density Residential.

5. Although the schools zone chapter of the District Plan provides rules on specific activities and built form standards for both public and private schools, I note that Section 176(2) of the RMA sets out that the provisions of a district plan or proposed district plan shall apply to designated land only to the extent that the land is used for a purpose other than the designated purpose. I note that the Ministry of Education in their Christchurch Schools Rebuild programme state that *'schools themselves determine how learning spaces are configured to meet their needs, with a school-led Education Brief ensuring the design and build align with their education vision'*. Private schools, given that they are not on designated land do not have the same flexibility in planning instruments, but clearly have the same functional and operational drivers. Therefore, in my opinion, a Specific Purpose School Zoning, and the flexibility therein, is critical for private schools.
6. The imposition of a residential heritage area overlay over the Specific Purpose School Zoning (which is not residential land) means that a Restricted Discretionary resource consent application will be required for new buildings and most alterations as well as for demolition. This clearly reduces what flexibility there is for Christ's College to develop their land in line with their own education vision and functional needs, and greatly increases administration and consenting costs. The introduced matters of discretion include consideration of:
- The scale, form, mass, rooflines, materials, colour, design, and detailing of the defining buildings and contributory buildings within the heritage area; and
 - The relationship between elements in the heritage area including the existing pattern of subdivision, pattern of buildings and fencing including height, materials and permeability of fencing and walls, layout and orientation on sites, and setbacks from streets.
 - The impact of the proposal on views to and from the RHA.
 - The provision of access and use or adaptive reuse of defining and contributory buildings.
7. In my opinion, these matters of discretion are fundamentally at odds with school buildings and spaces which have a different function and form to residential dwellings and their built form inevitably reflects their internal function. School buildings are often larger, have greater continuous length, height and are often grouped together. Without a RHA overlay, if Christ's College sought to exceed the built form standards of the zone for their redevelopment they would be subject to a restricted discretionary activity

and in my opinion the matters of discretion under 13.6.5 would adequately allow for consideration of the surrounding area without being at odds as I have set out. Effectively, the Council's introduced provisions as applied to the School land effectively disenable, as permitted activities, the range of development Christ's College can undertake in providing for its primary purpose and function.

8. Importantly, as set out in my evidence, Christ's College have several Certificates of Compliance for demolition of buildings over their land – not the listed heritage building on the eastern side of Rolleston Avenue. This forms the permitted baseline/existing environment and in my opinion should not be disregarded. With the demolition of these buildings, although not a heritage expert in my view the RHA would be compromised.

[Matter B] Rezoning 21 Gloucester Street

9. Christ's College submission requests 21 Gloucester Street be rezoned to Specific Purpose (School) Zone from Residential Central City Zone under the Operative District Plan and Medium Density Residential Zone under PC14. 21 Gloucester Street is immediately adjoining their existing Specific Purpose (School) Zoned land. In my opinion this forms a logical extension to their existing school zoned land. Ms Piper in her s42A report recommends that this be rejected as an Out of Scope request. In my opinion there is scope for this property to be rezoned under s77N of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 because Council themselves has sought to change the zone from Residential Central City to Medium Density Residential Zone and this has therefore provided an opportunity to participate in this process via submission. Furthermore, I note that s77N of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act states that specified territorial authorities may create new urban non-residential zones or amend existing urban non-residential zones.

[Matter C] Retention of Alternate HRZ Zoning as Notified

10. The District Plan provides each school zone with an alternate zoning so that if that land is no longer used for educational purposes then the relevant provisions for consideration are those specified under the alternate zoning. While Christ's College intend to continue to use this land for education purposes, the alternate zone under the Operative Plan and as notified also determines what the applicable Specific Purpose (School) Zone built form standard is.

11. In my evidence I seek the retention of the alternate HRZ zoning as notified. I note that Council's reporting officers in their evidence recommend that the alternate zoning be MRZ and HRZ was a mistake on notification. Although it is particularly challenging to determine what the recommendation is on this as Council Officer evidence does not appear to align. I also note that the CCC has recommended that the wording of Rule 13.6.4.2.a within the Specific Purpose School Zone be amended so that built form standards, apart from Rule 13.6.4.2.7 (which is water supply for firefighting) do not apply to RHA as they are controlled by the area-specific built form standards for the MRZ or Residential Banks Peninsula Zone. The alternate zones then seem to have no purpose for determining the built form rules of the SPS Zone.
12. In my opinion, the RHA should be removed over Christ's College land, in doing so the alternate zoning built form provisions would remain.. This would provide education providers with some certainty about what a permitted level of development is and if they wish to develop beyond that, the resource consent application will be subject to consideration of the matters for discretion in the SPS chapter.

Catherine Boulton

8 November 2023

Table 1: Comparison of built form standards for the Inner City West RHA					
	Operative SPS Zone	Operative RCC Zone	PC14 HDR	PC14 SPS Zone with alternate HDR Zone (as notified)	PC14 SPS Zone with alternate MDR Zone
Maximum building height	11m	14m	14m	14m within 10m of internal boundary otherwise 32m.	10m within 20 metres of an internal boundary otherwise 14m.
Setbacks	2m front 3m or 6m zone boundary	2m front 1.8m side/rear	1.5m front 1m side/rear	4m front 3m or 6m zone boundary	10m front 3m or 6m zone boundary
Building coverage	No maximum percentage	N/A	50%	50%	40%
Outdoor living space	N/A	24m ² & 4m dimension	20m ² & 3m dimension	N/A	N/A
Landscaping				10% planted	10% planted

