



Hamilton City Council

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Hamilton 3240

SUBMISSION ON PROPOSED PLAN CHANGE 6

PREPARED ON BEHALF OF:

Waikato Anglican Trust

Prepared by:

A handwritten signature in blue ink, appearing to read "R Falconer".

Richard Falconer

Regional Manager

31 July 2019

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Submitted by email

Submitter

1. **Waikato Anglican Trust** (“the submitter”), c/o Terra Consultants, makes this submission on Proposed Plan Change 6 (PC6).
2. The submitter could not gain advantage in trade competition through this submission.
3. The submitter is directly affected by an effect of the subject matter that –
 - a. Adversely affects the environment; and
 - b. Does not relate to trade competition or the effects of trade competition.

Introduction

4. The submitter owns the property at 77 Hukanui Road, Chartwell which comprises the St Pauls Collegiate School campus.
5. St Pauls is a private day and boarding school catering for 750 students from years 9-13.
6. The school is located within the Hamilton suburb of Chartwell, and is surrounded to the north, west and east by residential land, and on the southern boundary by residential land and Fairfield Intermediate school.

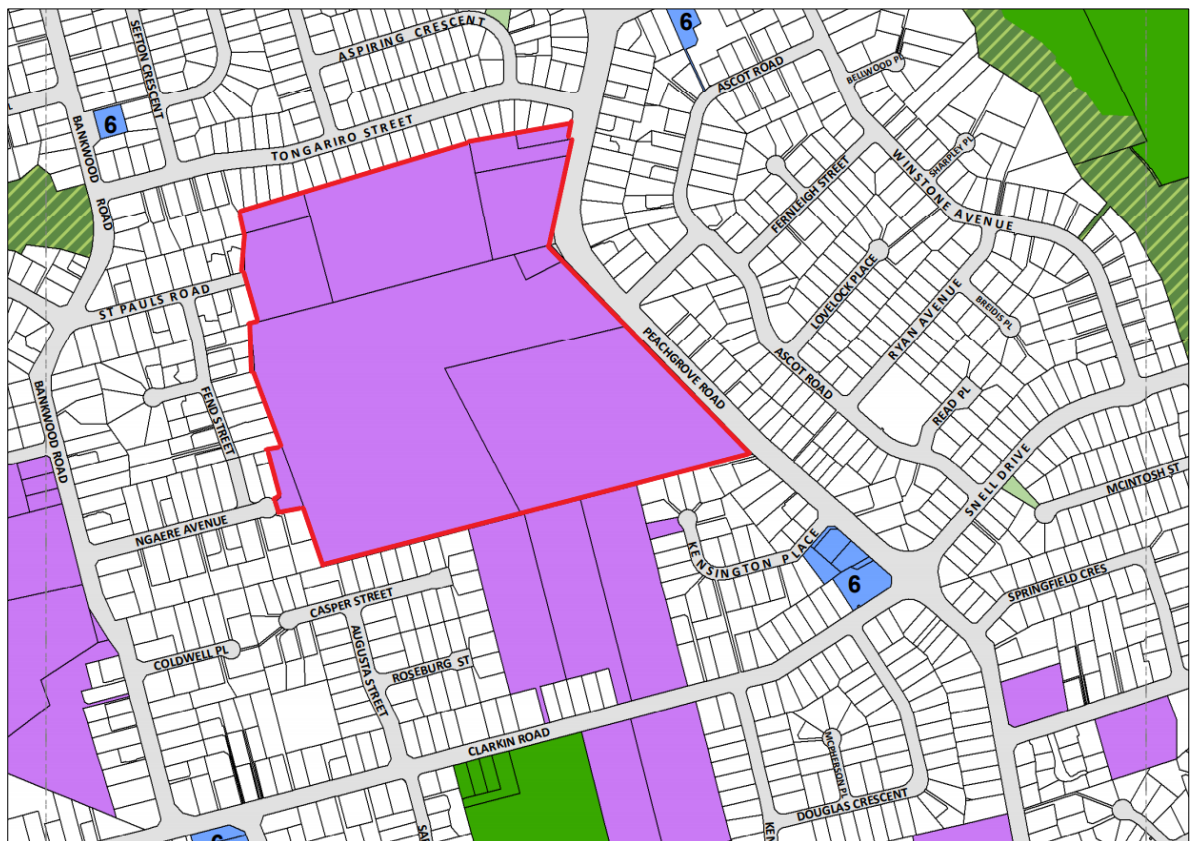


Figure 1: Submitter's property (marked in red outline)

7. The site comprises approximately 19ha and contains a range of facilities normally associated with a secondary school, as well as dormitories for boarding pupils. There are also several dwellings on site for staff. Buildings are clustered around the centre, mid-south and north-eastern corner of the site. There is no underlying designation applicable to the site.
8. Hukanui Road/Peachgrove Road borders the site to the east. Sports fields on the submitter's site bound this road along the southern extent, and vegetation and open grounds and residential dwellings along the northern extent. These residential dwellings are located relatively close to the eastern property boundary, approximately 5m at the closest point.
9. Most of the northern extent of the property boundary is heavily vegetated to a depth of at least 4m, by a mix of deciduous and evergreen species ranging from bushes to mature trees. This vegetation affords a high degree of privacy from the road to the dwellings behind, and effectively screens the dwellings from view from the road.
10. The site is zoned Community Facilities under the Operative District Plan.

Submission

Support

11. The submitter supports those parts of PC6 that propose to make new buildings and relocated buildings a Permitted activity. Having to apply for consent for any new buildings anywhere on the school grounds is onerous. The school site is relatively large and any new buildings would be, for the most part, screened from view from outside by the school boundary by other existing buildings or vegetation and, therefore, would have minimal effect beyond the site's boundaries. The submitter considers the change to Permitted status will significantly assist in the timing and certainty of new building projects.
12. The submitter also supports the proposed insertion of Permitted status for the expansion of existing lawfully established schools. The submitter considers this suitably recognises the need for schools to be able to flexibly adapt their infrastructure to changing educational requirements. This is particularly important for St Pauls Collegiate as it does not benefit from an underlying designation for education purposes.
13. Specifically, the submitter supports the following proposed changes:
 - Chapter 16: Community Facilities:
 - 16.3(b) Change of status for new buildings and relocated buildings from Restricted Discretionary to Permitted;
 - 16.3 (u) Insertion of Permitted status for existing lawfully established schools.

Oppose

14. The submitter objects to those new provisions of the Community Facilities chapter relating to building orientation, façade treatment and location of service and outdoor storage areas for new buildings and additions to existing buildings, within 10m of a Transport Corridor (Rule 16.5.1).
15. The submitter considers these provisions onerous. As noted above due to the historical development of the school site several buildings and dwellings congregate near the site's north-western boundary to the Hukanui/Peachgrove Road transport corridor. Some of these existing buildings are located inside the 10m treatment strip proposed by PC6. Other areas that may be potentially developed in the future also fall within this strip, particularly that part of the site close to the splay of the transport corridor, indicated on Figure 2.

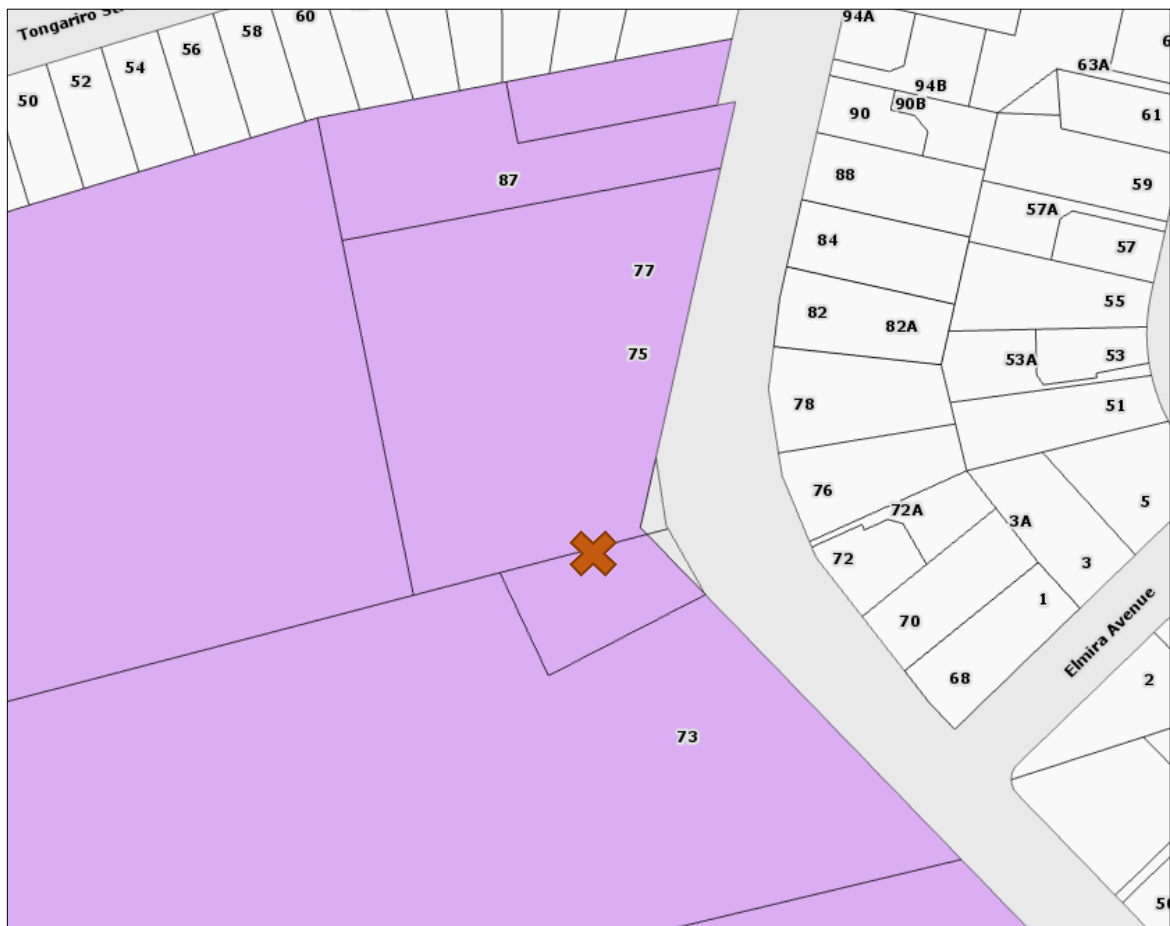


Figure 2: Area of transport corridor splay

16. The submitter understands the intent of the provisions but considers them unnecessary in the case of the unique circumstances applying to their site. The school has, over a number of years, carefully nurtured the landscaping strip inside its eastern boundary so that it provides effective privacy to the dwellings behind, and effective screening from the road.

17. Applying the new provisions in this situation would serve no real purpose but would hinder the ability of the school to develop further infrastructure on this part of its site. It would insert the extra burden and cost of alterations to design for new buildings and additions to existing buildings, or impose an extra regulatory cost where consent is sought for a departure from the requirements.
18. The proposed provisions will result in a significant extra cost for those schools that already face financial constraints and are not shielded by a designation, such is the case with the submitter's site. Instead the submitter considers the Council should identify those corridors where improvement to visual amenity is of particular importance and where the benefits of treatment in the manner proposed outweighs the cost imposition. The submitter does not believe that to be the case for the transport corridor bounding the school site.
19. Further, while the submitter understands that part of the purpose of the new provisions is to enhance surveillance from new and altered buildings, the submitter does not believe the changes will result in any practical improvement of surveillance. Most crime around schools is carried out after hours and in the weekends, when the schools are unoccupied and surveillance from the buildings will not be carried out.
20. Specifically, the submitter opposes the following proposed provision:

Chapter 16: Community Facilities:

- 16.5.1 New Buildings, Relocated Buildings and Alterations and Additions to Existing Buildings, including (a), (b) and (c).

Relief Sought

21. Without derogating from the generality of this submission:
 - That Council adopt the provisions the submitter supports;
 - That Council rejects the proposed changes the submitter opposes;
 - That Council make any other consequential amendments arising out of giving effect to the requested changes.
22. The submitter **wishes to be heard** in support of this submission.
23. The submitter will consider presenting a joint case with any other party seeking similar relief.