

Proposed District Plan Change 82: Minor Zone Changes & Associated Text Changes

Section 42a Officer's Report

March 2018

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OFFICER'S REPORT FOR: District Plan Hearings Committee
SUBJECT: Plan Change 82: Seven zone changes and associated changes to maps and text of the Wellington City District Plan
DATE OF HEARING: 5 April 2018

1 Introduction

Proposed District Plan Change 82 (DPC 82) involves minor zone changes and associated changes to the maps and texts of the Wellington City District Plan (the District Plan). The purpose of the plan change is to aid in the efficient functioning of the District Plan by providing appropriate zoning for future use and development of the properties involved. [Full details of the plan change](https://wellington.govt.nz/district-plan-change-82) can be found on the Council website (<https://wellington.govt.nz/district-plan-change-82>).

The purpose of this report is to assess the plan change under the relevant provisions of the Resource Management Act 1991 ('the RMA' or 'the Act'), taking into account the submissions received and to provide recommendations to the Independent Commissioner on the issues.

This report provides recommendations on all aspects of the plan change.

2 Recommendations

It is recommended that the Hearing Committee:

1. *Receives the information.*
2. *Approves Plan Change 82 as publicly notified on 11 December*
3. *Accepts or rejects all submissions to the extent that they accord with the above recommendations.*

3 Background

3.1 Legislative Requirements

The requirements for processing plan changes are covered in Part 1 of Schedule 1 to the RMA. This process can be summarised as follows:

- Following public notification of a proposed change and the lodging of submissions and further submissions, the Council is required to hold a hearing of the submissions in accordance with Clause 8B of Schedule 1.
- The Council is then required to give its decision on the submissions in accordance with Clause 10 of Schedule 1.
- Appeals against the decision may be made to the Environment Court.

The purpose and principles of the RMA are set out in Part II of the Act. The purpose of the RMA is to promote the sustainable management of natural and physical resources. Section 5 of the RMA describes this purpose as the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) *avoiding, remedying and mitigating any adverse effects of activities on the environment.*

Part II also includes other sections. The most pertinent provisions in this case being the requirements of Section 6 to recognise and provide for:

- (f) *the protection of historic heritage from inappropriate subdivision, use and development*

Under Section 7, particular regard must also be given to:

- (b) *the efficient use and development of natural and physical resources*
- (c) *the maintenance and enhancement of amenity values*
- (f) *maintenance and enhancement of the quality of the environment*

Section 8 of the Act requires the principles of the Treaty of Waitangi to be taken into account. Local iwi have been made aware of the plan change and have not raised issues with it. The plan change is not considered to have an effect on other Māori.

4 The Plan Change

DPC 82 comprises seven minor zone changes and associated changes to maps and text of the District Plan. A full explanation of the plan change is provided in the section 32 report that supported the Council's decision to notify the plan change (see Appendix 1 of this report).

Six of the zone changes relate to Council-owned land, including the recent purchase of a residential property at 6 Campbell Street, Karori. The other zone changes largely address anomalies or facilitate Council-related land exchanges.

DPC 82 also includes minor text and map changes associated with the proposed zone changes.

4.1 Zone and map changes

4.1.1 Zone and map changes - involving Council land

Council-owned housing

142 Tauhinu Road, Miramar – This property currently forms part of the Council's social housing portfolio. The house and associated yard area straddles the Open Space B and Outer Residential Areas. It is proposed that the Open Space B (Natural Environment) portion be rezoned as Outer Residential Area to ensure the site can continue to be appropriately managed and used for residential activities (refer to page 7 of the Section 32 report).

Council-owned open space

Flagstaff Hill Park (16 Terrace Gardens, CBD) – Council acquired this land for ongoing use for open space purposes. The zoning of this inner city park is proposed to be changed from Inner Residential Area to Open Space A (refer to page 9 of the Section 32 report).

7C Melksham Drive, Churton Park – This bush-covered site is zoned Outer Residential, even though it is part of an adjoining Council-owned reserve that is zoned Open Space A. It is proposed that the zoning of this site be changed to Open Space A to reflect its existing and intended future use (refer to page 11 of the Section 32 report).

Land exchanges involving Council reserves

43 Peppertree Lane, Woodridge – The purpose of this land exchange is to resolve an informal encroachment from a privately owned property (zoned Outer Residential) on to an adjoining Council reserve (zoned Open Space B). Notification of the land exchange took place under the Reserves Act 1977 in 2017, with no substantive issues being raised by neighbouring property owners or other interested parties. It is therefore proposed to swap the Open Space B and Outer Residential zoning of the land involved to reflect the approved exchange (refer to page 12 of the Section 32 report).

St Gerard's Monastery, Mt Victoria – The purpose of this land exchange is for the Council to secure ownership of an existing path over the St Gerard's Monastery property that provides access to an adjoining reserve. Notification of the land exchange took place in 2016 under the Reserves Act 1977. It is therefore proposed to swap the Open Space B and Inner Residential zoning of the land areas involved to reflect the approved land exchange (refer to page 5 of the Section 32 report).

Recently purchased property

6 Campbell Street, Karori – It is proposed that the zoning of this property be changed from Outer Residential to Centres to match the zoning of the adjoining Council-owned land at the corner of Karori Road and Campbell Street. The combined corner site is to be commercially developed in a way that complements the character and vitality of the Karori Town Centre. It is also proposed to amend the secondary street frontage provision shown on District Plan Map 48 (refer to page 21 of the Section 32 report).

4.1.2 Zone Changes - Involving private land

2A Myrtle Crescent, Mt Cook

It is proposed that the zoning of a sliver of land along the Myrtle Crescent frontage of this property be changed from Inner Residential to Centres. This will resolve a subdivision-related irregularity in a way that is consistent with Centres zoning of the wider site and adjoining properties (refer to page 24 of the Section 32 report).

4.2 Text changes

Minor amendments are proposed for Volume 1 of the District Plan to provide more specific references to the design guides for the Mt Victoria North and Thorndon Character Areas (refer to page 5 of the Section 32 report). These amendments support the St Gerard's zone swap described above.

5 Notification and submissions

On 16 November 2017, the City Strategy Committee agreed to publicly notify DPC 82. The Plan Change was publicly notified on 11 December 2017 and submissions closed on 9 February 2018. Thirteen submissions were received by the closing date. The summary of submissions was publicly notified on 2 March 2018. Two further submissions were received.

A summary of the decisions requested by submitters are provided as Appendix 2 of this report.

No submissions were received on the following zone changes:

- 142 Tauhinu Road, Miramar
- 43 Peppertree Lane, Woodridge

Each of the following zone changes received one submission in support, with no submissions in opposition:

- Flagstaff Hill Park (16 Terrace Gardens)
- 7C Melksham Avenue, Churton Park
- 2A Myrtle Crescent, Mt Cook

The remaining 10 submissions and two further submissions relate to the zone changes for St Gerard's and 6 Campbell Street. These submissions were a mixture of support and opposition.

6 Discussion and recommendations

6.1 Zone changes where no submissions received:

- 142 Tauhinu Road, Miramar
- 43 Peppertree Lane and adjoining Council reserve, Woodridge

It is considered that the above zone changes are appropriate for the reasons outlined in the section 32 report. As no submissions were received on these zone changes, it is considered that they can be adopted as proposed without the need for further discussion.

6.1.1 Recommendation:

That the following zone changes be approved as notified:

- 142 Tauhinu Road, Miramar - zone change from Open Space B to Outer Residential
- 43 Peppertree Lane and adjoining Council reserve, Woodridge – swap the Outer Residential and Open Space B zones for the land involved in a proposed land exchange.

6.2 Zone changes receiving submissions in support only:

Table 1: Zone changes receiving one submission (in support)

| Zone change | Submitter |
|--|--|
| • Flagstaff Hill (16 Terrace Gardens), CBD | Neil Pryor on behalf of Flagstaff Hill Area Resident's Association (Submitter 5) |
| • 7C Melksham Drive, Churton Park | Brian Sheppard on behalf of Churton Park Community Association (Submitter 3) |
| • 2a Myrtle Crescent, Mt Cook | Frankie Rouse (Submitter 8) |

It is considered that the zone changes listed in Table 1 above are appropriate for the reasons outlined in the section 32 report. As each of these zone changes received one submission in support and no submissions in opposition it is considered that they can be adopted as proposed without the need for further discussion.

6.2.1 Recommendations in relation to submissions:

That decisions sought in the following submissions be accepted:

- Brian Sheppard on behalf of the Churton Park Community Association (submitter 3) – regarding the proposed zone change for 7C Melksham Avenue, Churton Park from Outer Residential to Open Space A*
- Neil Pryor on behalf of the Flagstaff Hill Area Resident's Association (Submitter 5) – regarding the proposed zone change for Flagstaff Hill Park (16 Terrace Gardens, CBD) from Inner Residential to Open Space A*
- Frankie Rouse (Submitter 8) – regarding the proposed zone change for part of 2A Myrtle Crescent from Inner Residential to Centres.*

7 St Gerard's Monastery zone and text changes – discussion and recommendations

7.1 Zone changes

This zone change is to facilitate a land exchange between the Council and the owner of St Gerard's Monastery and Church (St Gerard's), the Institute for World Evangelisation (ICPE).

Figure 1 shows the land involved in the proposed land exchange, including the current land parcels and their ownership.



Figure 1: Showing the land involved in the proposed St Gerard's land exchange

Background to land exchange

It is useful to explain the background to the proposed land exchange as it is relevant to some of the points made in opposition to the plan change.

The Council purchased the city-facing land adjoining the Monastery in 1993 from the original owners of St Gerard's, the Redemptorist Fathers' Trust Board ('the Fathers'). This land became a reserve under the Reserves Act 1977.

As shown in Figure 1 above, the Fathers retained the land around the city-facing side of the Monastery. As part of the subdivision, the Council secured a Right of Way Easement in perpetuity through the Fathers' land to enable public access to continue from McFarlane Street.

The land the Council purchased from the Fathers included a 70m² access leg linking to Oriental Terrace zig-zag pathway. Oriental Terrace provides pedestrian access between the top of Hawker Street and Oriental Parade. The access leg comprises a steep embankment and a pedestrian pathway was never formed over this land when the wider St Gerard's property was owned by the Fathers. Instead, pedestrian access from Oriental Terrace to the land purchased by the Council has always been over a footpath running along the southeast side of the monastery building. The subdivision followed the sale of the Monastery buildings to the ICPE. The Council was able to enter into a deed with the ICPE over this pathway. However, the deed can be cancelled, which is why the current land exchange with the ICPE has been pursued.

In 2016, the Council approved the land exchange under the Reserves Act 1977. The formed path will become part of the Council reserve. The ICPE will amalgamate the unformed access leg with 1 Oriental Terrace and triangular portion of the St Gerard's site that sits between the formed path and unformed access leg. The ICPE intends to sell 1 Oriental Terrace to help fund seismic strengthening of St Gerard's.

Figure 2 provides a photo from the Oriental Terrace zig-zag towards the existing house at 1 Oriental Terrace and the eastern side of St Gerard's Monastery. The unformed access sits between the eastern side of the St Gerard's property and an ICPE-owned residential property at 1 Oriental Terrace.



Figure 2: Photograph from Oriental Terrace showing the house at 1 Oriental Terrace

The annotated plan provided in Figure 3 shows the land affected by the zone changes.

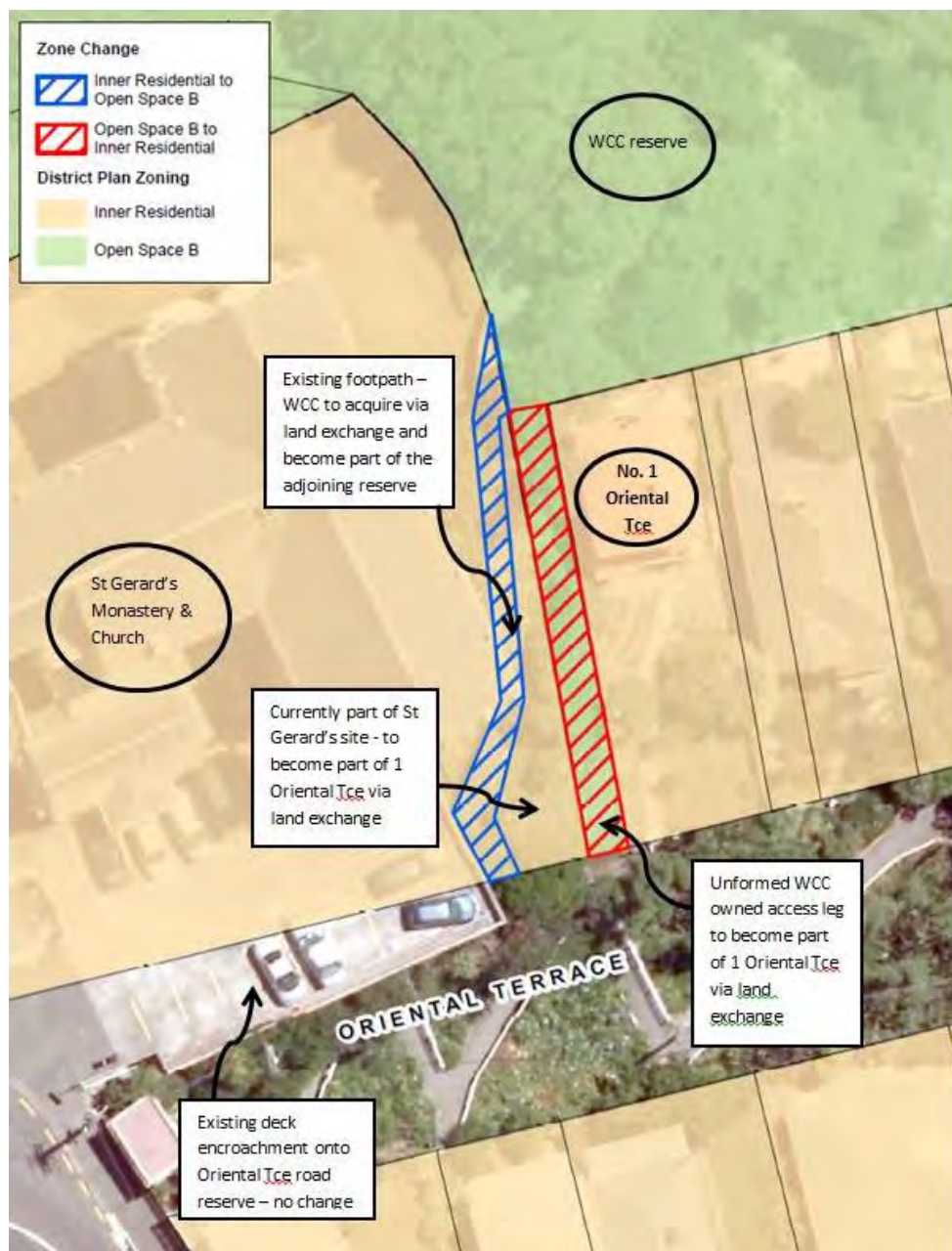


Figure 3: Proposed zone changes and context

7.2 Text changes

While researching the effects of the proposed zone changes, Council officers discovered that references to the design guides for the Mt Victoria North and Thorndon Character Areas were missing from key parts of the District Plan. The explanatory statements for the relevant District Plan policies and the rule that requires a resource consent for the construction, alteration of or addition to buildings and structures in these character areas only refer to the Residential Design Guide.

The Residential Design Guide was introduced via District Plan Change 72 (Residential Review) and applies to development in all Residential Areas of the City. There are appendices for specific areas, including Thorndon and Mt Victoria. However, the design guides for the Mt Victoria North Character

Area and the Thorndon Character Area still apply and provide additional guidance for the consideration of resource consent applications in these areas.

The plan change includes minor amendments and additions to address these gaps:

- Amend the methods and explanatory text for Policy 4.2.2.1 as follows:

Policy 4.2.2.1 Maintain the character of Wellington's inner city suburbs.

...

METHODS

- Rules
- ~~Residential~~ Residential Design Guides

...

Building proposals will be assessed against the Residential Design Guide (including the Thorndon and Mt Victoria appendices), the Thorndon Character Area Design Guide and the Mt Victoria North Character Area Design Guide, as relevant to the proposal.

- Amend the side note for Rule 5.3.5 as follows:

Rule 5.3.5

...

Note section 3.2.4 requires a Design Statement to accompany any application for resource consent that is to be assessed against the Residential Design Guide, the Thorndon Character Area Design Guide or the Mt Victoria North Design Guide, as relevant to the proposal.

7.3 Submitters

Five submissions were received on this part of DPC 82. Table 2 provides a summary of these submissions. No further submissions were received on this aspect of DPC 82.

Table 2: Summary of submissions on St Gerard's changes

| Sub # | Submitter | Support or Oppose? | Key submission points | Wishes to be heard? |
|-------|---|--------------------|---|---------------------|
| 1 | Heritage New Zealand | Support | <p>Zone change The submitter is satisfied that the rules of the Inner Residential Area and associated resource consent process will provide appropriate control over potential adverse effects of future development at 1 Oriental Terrace on the heritage values of St Gerard's Monastery and Church (Category 1 Historic Places).</p> <p>Text changes: The submitter considers the Thorndon Character Area Design Guide and the Mount Victoria North Character Area Design Guide are important for ensuring development is appropriate with respect to the area's historic heritage value. Accordingly, the submitter supports the proposed addition to the explanation and side notes associated with Policy 4.2.2.1 and Rule 5.3.5 respectively.</p> <p>The submitter seeks: Approval of zone and text changes as notified</p> | No |
| 2 | Gordon Copeland on behalf of the Institute for World Evangelisation – | Support | <p>Zone change The submitter supports the underlying land exchange to secure WCC ownership of an existing path to provide</p> | Yes |

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| | | | | |
|----|--|------------------------|--|-----|
| | International Catholic Programme of Evangelisation (ICPE Mission) (New Zealand Branch) | | <p>access to the reserve because:</p> <ul style="list-style-type: none"> The exchange will benefit Wellington as it would give ownership of the access pathway to the Council It will assist St Gerard's in funding the earthquake strengthening of both the Church and Monastery (both of which are yellow sticker-ed) <p>The submitter seeks: Approval of the plan change as notified</p> | |
| 10 | Joanna Newman on behalf of the Mt Victoria Historical Society Inc. | Support | <p>Zone change and text changes The submitter supports the land swap and the proposed text changes.</p> | No |
| 9 | Angela Rothwell on behalf of the Mt Victoria Resident's Association (MVRA) | Support with amendment | <p>The submitter supports the proposed rezoning of 73 Hawker Street and 52 McFarlane Street in part, but requests the following matters be included in the plan change:</p> <ol style="list-style-type: none"> That a viewshaft to protect the unique vista from Oriental Bay beach to the north façade of the Monastery be added to the District Plan. This will ensure the north façade is unobstructed, and serve to underpin the built character of the entire hillside. This would also align with the Central Area provisions which protect viewshafts of the city-facing façade. Confine the dimensions of any renovated or new building at 1 Oriental Terrace to permitted limits on height and site coverage. A requirement that officials publicly notify any application that seeks to increase District Plan allowances rather than leave it to officials' discretion. For example, where the new owner or a developer apply to council to exercise officer discretion under section 5.6.2.5 of the District Plan and allow a 20% increase in height from 10m to 12m. That any carpark spaces that encroach on airspace above the Oriental Terrace road reserve not be able to be sold as a permanent property right to support any future development of 1 Oriental Terrace. That the Thorndon Character Area Design Guide and the Mt Victoria North Character Area Design Guide be added to the wording of this policy and rule. That the map in Appendix 2 of the Residential Design Guide be amended to include Oriental Terrace and environs so it is consistent with the map in the Mt Victoria North Character Area Guide. This would ensure more of the pre-1930s character features of the houses in Oriental Terrace area are protected as a heritage backdrop to Oriental Bay. | Yes |
| 13 | Marian Evans | Oppose | <p>Zone change: The submitter opposes the proposed zone change because the environment will be adversely affected in the following ways:</p> <ul style="list-style-type: none"> Rezoning would further legitimise a series of council errors and omissions made in relation to this land. Rezoning would contravene WCC's Heritage Policy. Property owners have not been given a genuine opportunity to engage with this consultation because the WCC letter to Oriental Terrace neighbours misrepresents the proposed zone change because the first paragraph only referred to the rezoning of the St Gerard's site (i.e. 73 Hawker Street) and did not refer to 'part of the adjoining reserve at 52 McFarlane Street (part of Lot 1 DP 76510, CFR WN42D/683) from Open Space B to Inner Residential.' The rezoning of the 'part of the adjoining reserve' will enable future development of 1 Oriental Terrace that has the potential to comprise a key viewshaft, place a covenanted pohutukawa at risk, make possible an intrusive development within a small and beloved green heritage area, and expose increased risks from | Yes |

| | | | | |
|--|--|--|--|--|
| | | | <p>environmental hazards</p> <ul style="list-style-type: none"> • Rezoning part of Lot 1 DP 76510, CFR WN42D/683 ('the strip') from Open Space B to Inner Residential would extinguish the visual link between the green of St Gerard's Park and the green zigzag and could place the covenanted pohutukawa tree on the path at risk from building on or closely adjacent to the strip. • St Gerard's intention to combine the strip with the adjoining lot (1 Oriental Terrace) would provide potential for a larger development which would result in a loss of the Oriental Terrace area's visual and historical integrity, further exacerbating the effects of excluding the area from the pre-1930s demolition rule. • Risk of destabilisation of vulnerable adjacent land, through earthworks associated with any new development especially as a result of extreme weather events, local landslips, increased earthquake activity. <p>The submitter seeks:</p> <ul style="list-style-type: none"> • Re-advertisement of the zone changes. • If the proposal is not re-advertised, a decision not to allow the zone changes relevant to this submission. | |
|--|--|--|--|--|

7.3.1 Submissions in support – summary of key reasons and decisions sought

The key reasons given by submitters for supporting the proposed changes are:

- The underlying land exchange will secure Council ownership of an existing path over the privately-owned St Gerard's property.
- The environmental effects of any future development of an enlarged 1 Oriental Terrace will be controlled through the provisions of the Inner Residential Area, noting that all additions and alterations require a resource consent application that needs to be assessed against the Design Guide for the Mt Victoria North Character Area.
- The proposed text amendments will clarify the relevance of the Mt Victoria North Character Area to any future development of 1 Oriental Terrace.

These submissions seek that the zone and text changes be approved as notified.

7.3.2 Submissions in opposition or seeking change - key reasons and decisions sought

The key reasons given by the Mt Victoria Resident's Association (MVRA) for amending the proposed zone change and by Marian Evans for opposing the changes outright are:

- Changing the zoning of the unformed access leg associated with 52 McFarlane Street from Open Space B to Inner Residential, combined with the underlying land exchange, will enable development of an enlarged 1 Oriental Terrace in a way that will have adverse effects on:
 - Oriental Terrace amenities, through inappropriate scale and because of local geotechnical instability
 - A pohutukawa on the Council-owned reserve that is currently protected by a covenant
 - Views of the heritage-listed St Gerard's Monastery and Church buildings from Oriental Bay and
 - Views from Oriental Terrace to the Council-owned reserve at 52 McFarlane Street.

- Concerns about with the plan change notification letter that was sent to Oriental Terrace neighbours.

Ms Evans raised similar concerns during the Reserves Act 1977 process. Ms Evans seeks that the proposed changes are not approved or, because of her concerns about the notification letter, that the proposed zone change be either re-advertised or not approved.

The MVRA (Submitter 9) is particularly concerned that the public might not be able to comment on any resource consent for alterations or redevelopment at 1 Oriental Terrace. The submitter seeks a number of amendments to the plan change (see Table 2 above).

7.3.3 Analysis of submissions

The submitters in opposition to the plan change are mainly concerned about changing the zoning of the unformed access leg from Open Space B to Inner Residential Area. They don't appear to be as concerned about changing the zoning of the formed accessway from Inner Residential to Open Space B or the proposed text changes. Accordingly, the following sections of this report focus on concerns about the future development of the land that will be changed from Open Space B to Inner Residential.

The RMA requires consideration of the appropriateness of the proposed zone change. In this case, the key matters from Part II of the RMA are considered to be:

- Meeting the reasonably foreseeable needs of future generations
- Providing for the efficient use and development of natural and physical resources
- Maintaining and enhancing of amenity values
- Avoiding, remedying and mitigating any adverse effects of activities on the environment.

These considerations are addressed in the following sections of this report.

7.4 Meeting the foreseeable needs of future generations and providing for efficient use and development

It is useful to consider the relevant objectives and policies of the District Plan, which are set out in Appendix 3 of this report and summarised below.

- The main purpose of the Open Space B Area is to protect the natural and open character of the land involved. The standards and rules aim to keep these areas in a natural state. Resource consent applications are required for most buildings and structures with visual impacts and effects on open space character being key considerations.
- The main purpose of the Residential Areas is to provide for residential activities and residential scale buildings. The standards and rules aim to maintain suitable residential amenities. A slightly higher density of development is provided for in the Inner Residential Area. However, the special character of Wellington's original inner city suburbs is provided for through the identification of character areas, such as the Mt Victoria North Residential Area.

The zone change supports the land exchange described above. The proposed zoning of the formed pathway will provide for appropriate management of its future use and development in a way that reflects the relevant objectives and policies of the District Plan.

Irrespective of the zone changes, it is considered appropriate for the text changes to be approved to enable the relevant objectives and policies of the District Plan to be achieved.

Rezoning the unformed access leg is considered appropriate to providing the efficient management of its future use and development. After the land exchange, the unformed access leg will no longer have reserve status and will instead form part of a residential property within an existing residential neighbourhood. It would not be logical or efficient to leave a strip of Open Space zone running through a residential property, especially when it is not required for open space purposes. However, it is acknowledged that submitters have raised concerns about environmental and amenity effects of this zone change and these concerns are discussed in the following sections of this report.

7.5 Amenities and environmental effects

After the land exchange, the ICPE's intention is to amalgamate this strip with adjoining land areas. This will increase the area of the residential property at 1 Oriental Terrace from 250m² to 363m².

To Council's knowledge, there is currently no proposal to redevelop and enlarged 1 Oriental Terrace. However, it is useful to compare the following situations:

- The level of development that is already enabled by the Inner Residential Area provisions at 1 Oriental Terrace and neighbouring residential properties
- The type of development that would be possible under the Inner Residential Area provisions at an enlarged 1 Oriental Terrace.

7.5.1 Relevant District Plan Provisions

The table in Appendix 4 to the report summarises the Inner Residential Area provisions that apply to all the properties along Oriental Terrace and would also apply to an enlarged 1 Oriental Terrace.

It is important to note that the St Gerard's site and the properties along the Oriental Terrace are within the Mt Victoria North Character Area (as shown in Figure 4). In this character area, Rule 5.3.5 of the District Plan requires a resource consent for *'the construction, alteration of, and addition to residential buildings, accessory buildings and residential structures'* as a Discretionary Activity (Restricted). This rule applies even if a proposal complies with the activity and building standards set out in Appendix 4, such as the maximum height and building recession plane standards.



Figure 4: Mt Victoria North Character Area (1 Oriental Terrace – see star symbol)

Apart from very small structures, the construction and alteration of or addition to buildings and structures would require assessment under Rule 5.3.5 against the design guide for the Mt Victoria North Character Area (supported by the text changes proposed in this Plan Change, outlined in Section 7.2 of this report). The Design Guide includes a clear expectation that any work will complement the form and character of St Gerard's and the surrounding neighbourhood. Public notification or a requirement to obtain neighbours' approval would not be necessary unless there were infringements of other standards such as parking or bulk and location rules. It is acknowledged that this is a particular concern of the MVRA. However, these provisions were confirmed for the wider Inner Residential Area during District Plan Change 72 (Residential Review). It is not considered necessary or appropriate to change them for this particular site.

While the properties in Oriental Terrace are in the Mt Victoria North Character Area, it is important to note that they are not in the Mt Victoria North/St Gerard's sub area of the Mt Victoria appendix of the Residential Design Guide (see Figure 5). As a result, these properties are not subject to the rules requiring a resource consent to demolish a pre-1930 building (or remove architectural features, for example). This is a further concern of the MVRA. However, these provisions were also confirmed during District Plan Change 72 (Residential Review). It is considered that any future development of an enlarged 1 Oriental Terrace would be well-controlled under Rule 5.3.5 for the reasons outlined above.



Figure 5: The Mt Victoria area covered by the Mt Victoria North/St Gerard's sub area of the Residential Design Guide (1 Oriental Terrace – see star symbol)

7.5.2 Size, scale, shading, privacy and design effects

Marian Evans (Submitter 9) and the MVRA (Submitter 13) raise concerns about the scale and appearance of future buildings at 1 Oriental Terrace and potential effects, such as shading and loss of privacy, for residential neighbours and the Oriental Terrace pathway.

Discussion:

The standards and rules of the Inner Residential Area are discussed above. Overall, it is considered they provide sufficient control of these types of effects.

For example, any height or site coverage breaches would require the assessment of effects on other properties. Even if a structure complied with relevant bulk and location standards, a resource consent would still be required in relation to the design guide for the Mt Victoria North Character Area.

7.5.3 Heritage effects

Marian Evans (Submitter 13) submits that approval of the zone change will be contrary to Council's Heritage Policy. Ms Evans quotes the following extract from the heritage policy:

The Council works to identify and protect the city's heritage places to help retain them for future generations...Wellington celebrates its past through the recognition, protection, conservation and use of its heritage for the benefit of all.

Discussion:

Apart from quoting the above extract, Ms Evans does not provide further explanation of her concerns in relation to the Heritage Policy.

It is relevant to note that St Gerard's Church and Monastery buildings are Category 1 Historic Places on the New Zealand Heritage List/Rārangī Kōrero. They are also on the District Plan Heritage List (items 143 and 144 respectively). Accordingly, the buildings are protected by the heritage rules of the District Plan.

The house at 1 Oriental Terrace is not listed on the New Zealand Heritage List/Rārangī Kōrero or the District Plan Heritage List.

While the District Plan identifies and protects Heritage Areas throughout the city, Oriental Terrace has not been recognised in this way to date.

While Ms Evans has not specifically requested it in her submission, it is noted that adding 1 Oriental Terrace or making Oriental Terrace a heritage area would be outside the scope of this plan change. It would require considerable discussion with owners of the properties involved and other heritage stakeholders. This type of work would be more appropriately considered through a review of the District Plan's heritage provisions.

It is noted that the overall land exchange (while outside the scope of the RMA) will have heritage benefits as the ICPE will use proceeds from the sale of 1 Oriental Terrace for strengthening St Gerard's. Heritage New Zealand, the Mt Victoria Historical Society and the owner of St Gerard's support the proposed zone and text changes.

7.5.4 Site stability

Marian Evans (Submitter 13) raises concerns about future development of the land causing slope instability.

Discussion:

The earthworks rules in Chapter 30 of the District Plan require a resource consent for excavation cuts greater than 1.5 metres (measured vertically) that are not retained by a building or structure authorised by a building consent or the height of the cut exceeds the horizontal distance from the nearest site boundary, building or structure. The stability of the proposed earthworks is a key consideration when assessing a resource consent. Accordingly, it is considered that Building Act processes and the District Plan's earthworks rules are sufficient for addressing this type of risk for 1 Oriental Terrace of the wider area.

7.5.5 Effects on covenanted pohutukawa

Marian Evans (Submitter 13) raises concerns about effects on a mature pohutukawa on the Council reserve area. The tree is located close to the boundary with 1 Oriental Terrace, as shown in the photograph provided in Figure 6 below.



Figure 6: Photograph showing the location of the pohutukawa from the formed pathway, where it overlooks the rear of 1 Oriental Terrace

Discussion

The pohutukawa is not on the District Plan schedule of protected trees. However, when the Council purchased the reserve areas from the Fathers, a covenant was placed on this land. The covenant prevents the Council from cutting down or removing any plants or trees growing on the land or undertaking any activity that may affect the preservation of these plants or trees. The pohutukawa is not on the unformed access leg and will remain protected by this covenant.

7.5.6 Effects on visual link between Oriental Terrace and the reserve

Marian Evans (Submitter 13) raises concerns that development of 1 Oriental Terrace has the potential to block a visual link between the pedestrian zig-zag along Oriental Terrace and the Council reserve.

Discussion:

The photograph in Figure 2 provides a view from Oriental Terrace of vegetation on the unformed access leg. Although it currently forms part of the wider Council reserve, its visual significance is not considered to warrant the retention of the Open Space B zoning. It is noted that the Council has essentially approved the uplifting of the reserve status of the unformed access leg.

7.5.7 Views of St Gerard's from Oriental Bay

The MVRA (Submitter 9) raises concerns about effects on views of St Gerard's and Oriental Terrace from Oriental Bay (see an example of this view in Figure 7 below). The MVRA suggests the introduction of a viewshaft similar to those applying from the Central Area towards the city-facing facade of St Gerard's.



Figure 7: example of a view of St Gerard's and Oriental Terrace from Oriental Parade

Discussion:

There are a number of viewshafts that relate to St Gerard's which are protected through controls on land in the Central Area. However, these provisions only relate to the city-facing façade of the monastery and they only apply to development within the Central Area.

Maximum height limits apply to Oriental Bay sites to protect views of St Gerard's from Oriental Bay. However, 1 Oriental Terrace sits outside the areas to which these height limits apply, as shown in Figure 8 below.

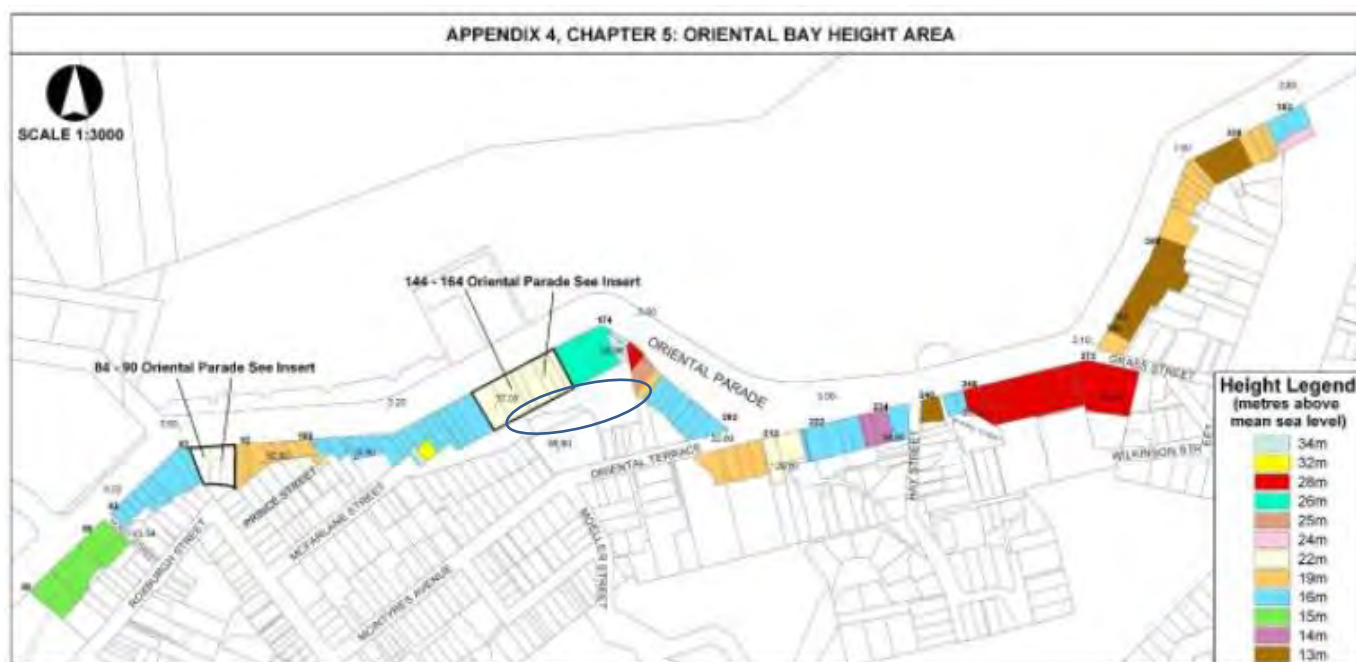


Figure 8: District Plan extract showing that most properties along Oriental Terrace sit outside the Oriental Height Area

The suggested measures are considered to be beyond the scope of this plan change as they would require reconsideration of the viewshaft policies. It is noted that the Oriental Bay height limits were confirmed during District Plan Change 72 (Residential Review).

Furthermore, the suggested measures are not considered necessary. The Inner Residential Area standards restrict the height and bulk of buildings along Oriental Terrace. The effects on views of a heritage-listed building such as St Gerard's would be taken into account when considering infringements. Any resource consent under Rule 5.3.5 for the construction, alteration of, and addition to residential buildings, accessory buildings and residential structures (Discretionary Activity (Restricted)), would also require assessment of the proposal's relationship to St Gerard's.

7.5.8 Residential Design Guide Appendix

The MVRA (Submitter 9) requests that properties along Oriental Terrace be added to the area covered by the Mt Victoria North/St Gerard's sub area of the Mt Victoria appendix of the Residential Design Guide (see Figure 5 above). This would make these properties subject to the rules requiring a resource consent application to demolish pre-1930s buildings (or remove architectural features).

Discussion

The relief sought by MVRA is considered beyond the scope of this plan change. It would require considerable discussion with owners of the affected properties and other stakeholders. It would be more appropriate for this type of change to be considered through a review of the District Plan's residential character provisions.

In the meantime, it is considered that the existing provisions applying in the Inner Residential Area are sufficient to manage the character values of Oriental Terrace, especially Rule 5.3.5.

7.5.9 Parking spaces

The MVRA (Submitter 9) raises concerns about parking spaces on road reserve being used to support redevelopment of 1 Oriental Terrace.

Discussion

As noted in Appendix 4, the Inner Residential Area standards require the provision of one on-site parking space per household unit. There is no vehicle access to most of the properties along Oriental Terrace (including 1 Oriental Terrace) and these properties have resource consents or existing use rights in lieu of having an on-site parking space. The development of additional household units on these properties would require a resource consent application for the non-provision of onsite parking.

During consideration of the land exchange, the ICPE has mentioned that it could make parking spaces on its existing deck available for the future development of 1 Oriental Terrace. Figure 9 provides a photograph of this parking deck.



Figure 9: St Gerard's parking deck

Part of this deck is subject to a licence to encroach over the Oriental Terrace road reserve. Making any of these parking spaces available for Oriental Terrace developments would require case-by-case consideration in relation to District Plan provisions and Council's encroachment policy. It is therefore considered that placing restrictions on the use of these carparks is beyond the scope of a decision on this plan change and would also be unnecessary.

7.6 Other matters

7.6.1 Subdivision history

Marian Evans (Submitter 13) suggests that the Council has not properly implemented previous subdivision consents associated with St Gerard's. In her submission, Ms Evans makes the following statement in this respect:

In 1991, the WCC required a right-of-way (later Right-of-Way "C") from the park to the Oriental Terrace zigzag, as a special condition of approving the subdivision of the St Gerard's land. But for reasons unknown to me the WCC did not reinforce the condition, so that St Gerard's became owner of the 'portion of 73 Hawker Street from Inner Residential to Open Space B' that was intended to provide the WCC's – and the public's – right-of-way.

Discussion

The reason for the current land exchange is explained in Section 7.1 above. In any event, Ms Evan's concerns in this respect are not considered a reason to not approve the proposed plan change.

7.6.2 Issue with notification letter to Oriental Terrace neighbours

Marian Evans (Submitter 13) raises concerns about the initial notification letter to Oriental Terrace neighbours and seeks re-notification of the St Gerard's zone change.

Discussion

A copy of the letter in question is provided in Appendix 5 of this report. It is acknowledged that the first paragraph of the letter does not refer to 52 McFarlane Street.

However, it is considered that when the letter is read in full it is clear that the zone change applies to both 73 Hawker Street and 52 McFarlane Street, and that the proposal is clearly described. In particular, it is noted that:

- The letter heading clearly states "District Plan Change 82 – Rezoning of (52 McFarlane St/73 Hawker Street, Mt Victoria)"
- The sentence in the first paragraph is clear that the rezoning is of 73 Hawker Street is only "part of" the plan change: "As part of this, it is proposed to rezone a portion of 73 Hawker Street from Inner Residential to Open Space B in order to facilitate a proposed land exchange" (emphasis added)
- A summary of the plan change, the public notice of the plan change, a map showing the area to be rezoned and a link to the plan change itself was attached to the notification letter. All those documents also clearly include 52 McFarlane St and 73 Hawker Street in the description of the proposal. The public notice states:

"Land exchanges involving Council reserves

....

73 Hawker Street (St Gerard's Monastery) and adjoining Council reserve (52 McFarlane Street), Mt Victoria – swapping Inner Residential and Open Space B zoning of the land involved in a land exchange."

- Similarly the summary clearly described the proposal in the following terms:

“St Gerard’s Monastery (73 Hawker Street & 52 McFarlane Street) Mt Victoria – The Council has approved a land exchange so that it can secure ownership of an existing path over the St Gerard’s Monastery property (zoned Inner Residential) that provides access to an adjoining reserve (Open Space B). It is therefore proposed to swap the zoning of the land areas involved in this land exchange.”

- The map, titled “location of proposed rezoning, 52 McFarlane Street/73 Hawker Street, Mt Victoria” clearly sets out the land to be rezoned.
- Paragraph 2.15 of the plan change document also clearly describes how the particular parcels of land are proposed to be affected by the plan change, in the following terms: “Rezone part of 73 Hawker Street (St Gerard’s Monastery site – part of Lot 3 DP 76510, WN 42D/685) from Inner Residential to Open Space B and part of the adjoining reserve at 52 McFarlane Street (part of Lot 1 DP 76510, CFR WN 42D/683) from Open Space B to Inner Residential. Amend Planning Map 12 accordingly.”

In this context, the proposal was considered to be clear and re-notification of the zone change is not considered to be necessary. Ms Evans was advised of this position prior to the further submission stage.

7.7 Conclusions

The plan change is for zone changes for the land involved rather than a specific development proposal. Potential adverse effects of the plan change have been assessed, particularly those raised about the future development of 1 Oriental Terrace.

All new buildings and structures in the Inner Residential Area require a resource consent under Rule 5.3.5 in relation to the design guide for the Mt Victoria North Character Area with a view to achieving good urban design for the character area. Any building or activity would also be subject to a number of other standards aimed at managing effects on the surrounding environment and amenities. Non-compliance with any of these standards would require the consideration of any effects through the resource consent process. For these reasons, the provisions of the Inner Residential Area are considered to provide appropriate management of effects that could result from the future use and development of an enlarged 1 Oriental Terrace in a way that is consistent with the nature of development that is already provided for on adjoining properties along Oriental Terrace.

Based on the above discussion, no changes to the plan change as notified are considered necessary.

7.8 Recommendations in relation to submissions on St Gerard’s zone changes and associated text changes:

That decisions sought in the following submissions be accepted:

- *Heritage New Zealand - Submitter 1*
- *Gordon Copeland on behalf of the Institute for World Evangelisation – International Catholic Programme of Evangelisation (ICPE Mission) (NZ Branch) – Submitter 2*
- *Joanna Newman on behalf of the Mt Victoria Historical Society Inc. - Submitter 10*

That decisions sought in the following submissions be rejected:

- *Angela Rothwell on behalf of the Mt Victoria Resident's Association – Submitter 9*
- *Marian Evans – Submitter 13*

8 6 Campbell Street zone change and secondary street frontage extension Map 48

8.1 Zone change

This part of the plan change is to rezone the property at 6 Campbell Street from Outer Residential to Centres.

The 541m² property at 6 Campbell Street is currently zoned Outer Residential. As shown in the Figure 10 below, 6 Campbell Street is occupied by a single story cottage surrounded by established trees and garden. The fenced front yard encroaches on to road reserve, although the encroachment licence was cancelled after the property was purchased by the Council. A vehicle crossing at northern end of street frontage provides access to a carport. To the north, the property adjoins the 1,020m² former St John's Church site on the corner of Karori Road and Campbell Street. Residential properties lie immediately to the south, although separated by a driveway.



Figure 10: Photograph of 6 Campbell Street frontage and neighbouring properties

Figure 11 below shows other neighbouring land uses, including the Mobil Station and the Karori Event Centre (under construction) immediately to the west.



Figure 11: Aerial photograph showing the location and zoning of 6 Campbell Street and the neighbouring land uses (blue shading is Centres Area, rest is Outer Residential Area)

The Council acquired the St John's site some time ago, with a view to it being commercially developed in a way that complements the attractiveness and economic vitality of the Karori Town Centre. When 6 Campbell Street went on the market in 2017, the Council bought it to complement its redevelopment objectives for the wider site. Rezoning 6 Campbell Street from Outer Residential to Centres would enable future development of the combined site to be managed in an integrated way under the District Plan. After this zone change process, the Council will explore redevelopment options through a public tender process. The overall aim will be to achieve a mix of uses within an attractive building with active frontages, while at the same time being compatible with residential neighbours.

8.2 Change to street frontage map

District Plan Map 33 identifies Karori Road as a Principal Road and Campbell Street as a Collector Road. District Plan Map 48 shows that the St John's site is subject to a primary frontage along Karori Road and a secondary frontage along Campbell Street.

It is proposed that the secondary frontage be extended along 6 Campbell Street if the zone change is approved, to be consistent with the St John's site. The main purpose of these provisions is to maintain an active building edge.

The key implications of this extension are as follows:

- The demolition of buildings to create vacant land, open space or parking areas (at ground level) requires a resource consent as a Discretionary Activity under Rule 7.3.3.
- Open vehicle parking areas or parking at ground level within a building must not be situated at the front of the site (Standard 7.6.1.5.4) – non-compliance requires a resource consent as a Discretionary Activity (Restricted) under Rule 7.3.5.
- 7 metre minimum height for new buildings or structures along primary or secondary frontages and ground floor to floor height shall be at least one-third higher than upper storeys (Standard 7.6.2.2.1 & 2) – non-compliance requires a resource consent as a Discretionary Activity (Restricted) under Rule 7.3.7).
- Non-residential activities are required for the entire ground floor (Standard 7.2 6.2.7.7) – non-compliance requires a resource consent as a Discretionary Activity (Restricted) under Rule 7.3.7.

8.3 Submitters

Five submissions and two further submissions have been received on this part of DPC 82. Table 3 provides a summary of these submissions.

Table 3: Summary of submissions on the proposed zone change and associated map changes for 6 Campbell Street

| Sub # | Submitter/further submitter | Support or Oppose? | Key submission and further submission points | Wishes to be heard? |
|-------|-----------------------------|--------------------|---|---------------------|
| 4 | Jacqueline Anstead | Oppose | <p>Zone change: The submitter opposes the proposed rezoning of 6 Campbell Street, Karori for the following reasons:</p> <ul style="list-style-type: none"> • Safety factors in the street, it should be kept as residential • Noise concerns and the close placement to 1/8 Campbell Street, which does not currently have noise problems from retail <p>The submitter seeks: To not change the zone for 6 Campbell Street</p> | No |
| 6 | Lesleigh Ann Salinger | Support | <p>Zone change and amend to Map 48</p> <ul style="list-style-type: none"> • The submitter supports the proposed rezoning of 6 Campbell Street, Karori and the associated map amendment to Map 48 because: • The zone change is a logical extension to the Centres zoning to the properties to the north and west • The rezoning will provide a greater opportunity for a new mixed-use development • The rezoning would enable the undeveloped (former) St John's Church site to the north and this property to become one • The present house is derelict and due for demolition to allow for a decent sized development opportunity • The Karori Town Centre is shabby, under resourced, with an ailing commercial heart and this extended site would provide commercial opportunity • The extra land provides alternative access to the new Events Centre • The immediate neighbours will not be seriously affected and the area can be adequately protected by the District Plan provisions including Centres Standards, Centres Design Guide, and resource consent requirements for new buildings. <p>The submitter seeks: Approval of the plan change as notified</p> | Yes |

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| | | | | |
|----|--|----------------|---|-----|
| 12 | Heather Sinclair on behalf of the Karori Association | Support | <p>Zone change and amendment to Map 48 The submitter supports the proposed rezoning of 6 Campbell Street, Karori and the associated map amendment to Map 48 because:</p> <ul style="list-style-type: none"> • The proposed zone change is a logical extension of the Centres zoning of the properties to the north and west • Together with the undeveloped (former) St John's Church site to the north, the proposed change would enhance the opportunity for a new mixed use development and would enable the two sites to be developed in an integrated manner. Such a development is needed to revitalize the suburb's commercial heart • The submitter feels the amenity of neighbouring residential properties will be adequately protected by the District Plan provisions including the Centres Standards, Centres Design Guide, and consent requirements for new buildings. <p>The submitter seeks: Approval of the plan change as notified</p> <p>This submitter also lodged a Further Submission (FS2) in opposition to Submissions 4 & 7, stating the following reasons:</p> <ul style="list-style-type: none"> • The existing driveway to No. 8 and 8a Campbell Street will provide a buffer from effects from the future use and development of 6 Campbell Street, • The activities/buildings that could occur at 6 Campbell Street as of right are extremely limited. Re-development would require a resource consent and consideration of the activity standards in Rule 7.6.1 and buildings standards in Rule 7.6.2. • These processes and standards will ensure the effects of any future re-development on residential amenities will be assessed and, if necessary, mitigated. <p>In relation to the suggestion that 6 Campbell Street incorporate a planted buffer element, the Karori Association submits that the future use of the site should not be pre-determined.</p> <p>The Karori Association also notes that the rezoning of 6 Campbell Street would enable the re-development of this and the adjoining former St John's site to occur in an integrated manner.</p> | No |
| 7 | Sam Butts | Oppose in part | <p>Zone change: The submitter opposes the proposed rezoning of 6 Campbell Street, Karori and the associated map amendment to Map 48 for the following reasons:</p> <ul style="list-style-type: none"> • Noise and light – Increased noise levels resulting from increased human and vehicle traffic and unwanted light will have an impact, particularly when young children are sleeping during the day and the evening • Traffic access - Concern relating to traffic entry to and departure from the site, particularly in relation to the safety of pedestrians on the surrounding footpaths • Traffic movement - The location of a commercial site in a residential zone will significantly increase the number of traffic movements. • Privacy - The privacy of residents in the surrounding houses would be impacted by a large and tall building • Building design - The height and design of a large commercial building would have an impact in a residential area. It is important that the design of the building is sympathetic to residential buildings in Campbell Street. • These changes would adversely affect the submitter's family and their ability to enjoy their existing quality of life. <p>The submitter seeks: That the specific provisions be rejected, and the issues outlined in their submission be mitigated as follows:</p> <ol style="list-style-type: none"> 1. Using the land in 6 Campbell Street as a buffer between the residential area and the new commercial building. Plants and/or a park on this land could work as such a buffer. 2. Ensuring the new building is sympathetic in its design to | Yes |

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| | | | | |
|----|---------------|------------------------|---|----|
| | | | <p>the residential houses which surround it.</p> <ol style="list-style-type: none"> 3. Ensuring the new building is sympathetic in its scale to the residential houses which surround it. 4. Ensuring the new building is designed in a way which maintains the privacy of the residents in the surrounding houses. 5. Minimising the increase in traffic in Campbell Street by having both the entry and exit for vehicles on Karori Road. 6. Alternatively, there could be separate entry and exit points by having one on Karori Road and the other on Campbell Street. <p>The submitter also lodged a Further Submission (FS 1) – essentially changing its position from 'not wishing to be heard' to 'wishing to be heard'.</p> | |
| 11 | Keith Woolley | Support with amendment | <p>Zone change: The submitter has concerns about the proposed rezoning of 6 Campbell Street, Karori which include:</p> <ul style="list-style-type: none"> • Sunlight availability and privacy to neighbours as a result of a building several floors high • Visual impact of structure should be sympathetic and similar to the residential houses in the area. The allowable size and visual impact of the building may be strikingly different and out of keeping to the residential houses in the surrounding area. The Council has an ideal opportunity to put in place a building or buildings that visually fit well with residential houses in the surrounding area. • Ongoing noise – noise should be controlled to residential noise levels or less by way of time of day, vehicle type and number of vehicles. Some "Centres area" land use can have unloading and loading from vehicles small and large trucks that occurs at unfriendly times of the day. <p>The submitter seeks: That the provisions be amended so that:</p> <ol style="list-style-type: none"> 1. Sunlight availability to neighbours is not detrimentally affected. 2. Neighbours privacy is not affected by a building several floors high. 3. Visual impact of the structure is sympathetic and similar to the residential houses in the area. 4. Noise is controlled to residential noise levels or less and to suit that of a residential area by way of time of day, vehicle type and number of vehicles | No |

8.3.1 Submissions in support – summary of key reasons and decisions sought

The key reasons given by submitters for supporting the proposed changes are:

- Changing the zoning of 6 Campbell Street from Outer Residential to Centres will help meet an established need for more commercially-zoned land around the Karori Town Centre.
- The zone change and addition to the secondary street frontage provision will be a logical extension of existing District Plan provisions.
- The increase in Centres-zoned land in this vicinity will enhance development options of the former St John's Church site on the corner of Karori Road and Campbell Street.
- Residential neighbours will be sufficiently protected by provisions of the Centres Area, including building and activity standards, the Centres Design Guide, and consent requirements for new buildings and structures.

These submissions seek that the zone and map changes be approved as notified.

8.3.2 Submissions in opposition – summary of key reasons and decisions sought

The key reasons given by submitters for amending the proposed zone change or opposing it outright are:

- The non-residential activities and associated vehicle movements provided for in the Centres Area will result in adverse noise, lightspill, shading, privacy, traffic and visual effects for adjoining and neighbouring residents.

Mrs Anstead (Submitter 4) lives at 8 Campbell Street. Mrs Anstead does not wish to attend the hearing, but she does seek that the zone change not be approved.

Mr Butts (Submitter 7) and Mr Woolley (Submitter 11) live opposite 6 Campbell Street, at 7 and 9 Campbell Street respectively. These submitters seek measures that prevent the anticipated adverse effects such as:

- Ensuring that any new buildings or structure are sympathetic in design and scale to the residential houses which surround it and maintain the privacy and sunlight of neighbouring residents.
- Ensuring onsite and vehicle-related noise does not exceed residential noise levels.
- Requiring vehicle access to and from the corner site to be from Karori Road, or shared between Karori Road and Campbell Street.
- Using 6 Campbell Street as a buffer between the residential area and new commercial development. It is suggested that plants and/or a park on this land could work as such a buffer.

8.3.3 Analysis of submissions

The RMA requires consideration of the appropriateness of the proposed changes. In this case, the key RMA considerations include:

- Meeting the reasonably foreseeable needs of future generations
- Providing for the efficient use and development of natural and physical resources
- Maintaining and enhancing of amenity values
- Avoiding, remedying and mitigating any adverse effects of activities on the environment.

These considerations are addressed in the following sections of this report.

8.4 Meeting the foreseeable needs of future generations and providing for efficient use and development

It is useful to consider the relevant objectives and policies of the District Plan, which are set out in Appendix 6 of this report and summarised below.

- The main purpose of Residential Areas is to provide for residential activities and residential scale buildings. The standards and rules aim to maintain suitable residential amenities.

- The main purpose of the Centres Area is to provide for localised shopping and services. Residential activities are provided for although discouraged at ground floor level. Performance standards have been imposed on Centres activities to protect Residential Areas. Maintaining the character, appearance and environment of the Centres Area is also an important objective of the District Plan.

The rezoning of 6 Campbell Street and the associated extension secondary frontage extension is to support development of the Karori Town Centre and the services it provides to residents of the suburb. The need for further commercially zoned land was established during District Plan Change 73 (Suburban Centre Review). The site is at the interface between the Outer Residential Area and Centres Area. However, it is close to a key transport route and the Karori Town Centre, including a number of community facilities. While the zone change will remove one property from the Outer Residential Area, residential activities are provided for in the Centres Area provided they are located above ground floor level.

Accordingly, the plan change is considered to be consistent with meeting the needs of future generations. It is also considered to provide for efficient management of the use and development of the land involved, reflecting the relevant objectives and policies of the District Plan. However, it is acknowledged that submitters have raised concerns about environmental and amenity effects of this part of the plan change and these concerns are discussed in the following sections of this report.

8.5 Amenities and environmental effects

It is appropriate to consider the effects of rezoning this 541m² property on the residential neighbours and whether these effects will be adequately managed under the provisions of the Centres zone.

There is no specific proposal to redevelop the site. However, it is useful to assess and compare the effects associated with following situations:

- The level of development that is already enabled by the Outer Residential provisions at 6 Campbell Street
- The level of development that is already enabled by the Centres provisions at the St John's Church site.
- The type of development that would be possible under the Centres provisions at 6 Campbell Street.

8.5.1 Relevant District Plan provisions

The table in Appendix 7 to the report summarises and compares the Outer Residential provisions as they currently apply to 6 Campbell Street and the proposed Centres provisions that would apply to the redevelopment of 6 Campbell Street and the wider St John's site.

Activity standards

The Centres Area provides for a range of non-residential activities, provided they comply with a number of standards, such as noise, vehicle access, lightspill and dust. Activities that do not comply with these standards require a resource consent as a Discretionary Activity (Restricted) under Rule 7.3.5. Effects on neighbouring amenities would be a consideration.

Centres Design Guide

Apart from very small buildings, any new building requires a resource consent application as a Discretionary Activity (Restricted) under Rule 7.3.7. These applications are internally assessed under the Centres Design Guide. The resource consent application must include a design statement that addresses relevant expectations of the design guide. The following list of subject headings from the Centres Design Guide demonstrates the wide range of matters that can be considered when assessing a building under these provisions:

- Design coherence
- Relationship to context – consistency vs contrast, positive precedents, achieving consistency, and developing an authentic sense of place
- Siting, height, bulk and form – street edge definition and building alignment, height and scale relationship, natural light, outlook, ventilation, positive open space, mid-block pedestrian access
- Edge treatment – building fronts, active edges, servicing and carparking, shelter and building entrance enhancement
- Façade composition and building tops – relationship to neighbouring buildings, additions and modifications to existing buildings, shopfronts, human scale, and flexibility and adaptability
- Materials and design – compositional coherence, visual interest, physical robustness, and façade transparency.

Standards for buildings and structures

All buildings must also comply with the maximum height. Non-compliance requires a resource consent as a Discretionary Activity (Restricted) under Rule 7.3.5. The effects on neighbouring amenities would be a consideration.

Residential setbacks

For properties that adjoin a Residential Area, new buildings must comply with additional standards:

- Buildings and structures must comply with the building recession plane requirements of an adjoining Residential Area at any point along a boundary adjoining a Residential Area and must be no higher than 3 metres within 5 metres of a Residential Area boundary (Standard 7.6.2.3.1)
- All windows above ground floor level and within 5 metres of and facing a Residential Area boundary shall have privacy glazing (Standard 7.6.2.6.1)
- Any deck, terrace or balcony with a finished level that is 1.5m or more above ground level measured at the boundary shall be no closer than 2 metres to an adjoining Residential Area boundary (Standard 7.6.2.6.2)

The above standards will apply along the common boundary with the residential properties at 8 and 8a Campbell Street. The photograph in Figure 10 above shows that a driveway runs along this boundary. As it is unlikely that this driveway would ever be built over, it would provide a further buffer from future development at 6 Campbell Street.

Secondary frontage standards

As explained in Section 8.2 above, the Campbell Street frontage of the St John's site is subject to secondary frontage provisions that control vehicle parking areas and ground level activities to

maintain an active building edge. It is proposed that the secondary frontage be extended across the 6 Campbell Street frontage.

8.5.2 Size, scale, shading and privacy effects

Ms Anstead (Submitter 4), Mr Butts (Submitter 7) and Mr Woolley (Submitter 11) raise concerns about the appearance of future buildings and privacy effects for residential neighbours.

Discussion:

Commercial buildings are already provided for on the wider St John's Church site, subject to the Centres provisions outlined above. It is considered that the main parties that could be adversely affected by the zone change are the immediately adjoining residents at 8 and 8a Campbell Street. In this respect, it is noted that a new residential building could be constructed as of right at 6 Campbell Street under the existing Outer Residential provisions, with no consideration of design, shading or privacy effects, provided that it complied with relevant standards such as the 8 metre maximum height and the building recession planes.

Rezoning the site to Centres Area will enable greater site coverage and a 12 metre maximum height at 6 Campbell Street (subject to the residential setbacks). However, apart from very small buildings, the Centres provisions will require the design of all new buildings to be assessed through a resource consent application. This would not usually involve public notification. However, non-compliance with any of the standards outlined above would require consideration of effects on neighbours and could require the obtaining of written approvals or public notification. It is noted that the combined effect of the building standards of the Centres Area will actually be more restrictive along the boundary with 8 and 8a Campbell Street than those applying in the Outer Residential Area:

Overall, it is considered that there will be little change in the potential for shading and privacy effects for residential neighbours, including the adjoining neighbours at 8 and 8a Campbell Street. For these reasons, the relief sought by Submitters 7 and 11 are not considered necessary.

8.5.3 Noise Effects

Ms Anstead (Submitter 4), Mr Butts (Submitter 7) and Mr Woolley (Submitter 11) have raised concerns about noise from new commercial development facilitated by the proposed zone change. The noise from vehicle movements to and from the site is a particular concern, especially truck deliveries during early and evening hours.

Discussion:

Table 4 summarises how the District Plan limits noise in the Outer Residential Area compared to the Centres Area.

Table 4: Comparison of Noise Standards for Outer Residential Area and Centres Area

| | Outer Residential Area | Centres Area |
|--|-------------------------------|--|
| General Activity (noise emission levels measured at or within the boundary of any site in an Outer Residential Area) | | |
| Mon-Sun 7am-7pm | 50dB LAeq (15 min) | 50dB LAeq (15 min) |
| Mon-Sun 7pm-10pm | 45dB LAeq (15min) | 45dB LAeq (15min) |
| Mon-Sun 10pm-7am | 40dB LAeq (15 min) | 40dB LAeq (15 min) |
| Mon-Sun 10pm-7am | 70dB LAFmax | 65dB LAFmax |
| Fixed Plant Noise (noise emission levels from power generation, heating, ventilation or air conditioning systems, or water or sewage pumping treatment systems or similar domestic installations received at or within boundary of any site in an Outer Residential Area) | | |
| Mon-Sun 7am-10pm | 45dB LAeq (15 min) | Same standards as for General Activity (see above) |
| Mon-Sun 10pm-7am | 40dB LAeq (15 min) | |
| Mon-Sun 10pm-7am | 65dB LAFmax | |

Noise from general onsite activities

Ongoing noise from general activity in any zone is subject to LAeq standards measured over 15 minute periods. They are generally higher in commercial zones compared to residential areas. They are also higher during the day (7am-7pm) than shoulder periods (7pm-10pm) or at night (10pm-7am). General activities are also subject to special LAFmax standards at night (10pm-7am); these aim to protect against sleep disturbance from loud noise events of short duration, such as the sound of emptying a container of glass into a bin.

Commercial zones, such as the Centres Area, have standards that apply to noise generated within the zone and received at or within the boundary of any site in a Residential Area. These levels are lower than for noise received within a commercial zone.

It is important to note that these standards only apply to activities occurring within a property and do not apply to vehicles operating on a road or the noise of vehicles entering or exiting a site, which is instead covered by land transport rules enforced by the police. However, the District Plan standards do apply to prolonged vehicle idling within a site or activities associated with loading or unloading vehicles (such as talking, door slamming, the banging and crashing of containers, and forklift operation).

Fixed plant noise

The District Plan sets separate standards for noise generated by fixed plant, such as installations associated with power generation, heating, ventilation, air conditioning systems, waste compactors, water or sewage pumping systems or similar domestic installations. For any particular zone, the acceptable noise levels for fixed plant tend to be lower than for general activity.

Temporary activities

Noise from temporary activities is not subject to District Plan standards between the hours of:

- 9am-9pm each day (Sunday – Thursday)
- 9am-10pm (Friday and Saturday)
- New Year's Eve – 9pm 31 Dec-1am the following day

General noise nuisance

Day to day activities which may cause a noise nuisance can also be controlled using the excessive noise provisions of the RMA. All activities have a duty to avoid unreasonable noise under section 16 of the Resource Management Act regardless of the standards set in the District Plan.

Conclusions

It is considered that the proposed zone change will result in little change in noise standards for receiving residential properties on the other side of Campbell Street. However, the zone change will move the key residential interface to the boundary with the residential properties at 8 and 8a Campbell Street. The changes are:

- The permitted LAFmax standard received in a neighbouring Residential Area will decrease
- The permitted daytime fixed plant noise limit that applies to noise received at adjacent residential sites will increase from 45 dBA to 50 dBA during 7am-7pm hours (they will be unchanged during the 7pm-10pm and 10pm-7am periods). Advice from Council's noise compliance team is that 5dB can be noticeable, although there is potential for the perception of any difference to be overwhelmed by ambient noise levels from vehicle traffic and neighbouring permitted activities. The 5 dBA increase in permitted daytime fixed plant noise will potentially affect 8 and 8a Campbell Street as these properties do not currently adjoin the Centres Area along their northern boundary.

To understand the concerns raised by submitters, Ryan Cameron (WCC Senior Environmental Noise Officer) undertook background sound monitoring at the boundaries of the site. Mr Cameron's Environmental Noise Assessment is attached as Appendix 8. The sound monitoring found that daytime ambient noise levels already exceed the permitted noise limits and, when combined with the high existing noise environment, any increase in noise levels as a result of the proposed rezoning will be negligible to reasonable

It is noted that residential neighbours will benefit from a reduced LAFmax and that this level is within the recommended upper night time Lmax limits for NZS 6802:2008 to prevent sleep disturbance.

A redevelopment proposal would need to comply with all relevant noise standards. If the District Plan noise limits cannot be complied with, a resource consent as a Discretionary Activity (Restricted) would be required under Rule 7.3.5. Effects on neighbouring amenities would be a consideration.

Based on the above discussion and Mr Cameron's assessment, the relief sought by Submitters 7 and 11 is not considered necessary.

8.5.4 Traffic effects

Ms Anstead (Submitter 4), Mr Butts (Submitter 7) and Mr Woolley (Submitter 11) raise concerns about adverse traffic. Submitter 7 suggests that the location of a commercial site in a residential zone will significantly increase the number of traffic movements.

Discussion:

The principle characteristics of the immediate road environment include:

- Campbell Street is considered a Collector Road in the District Plan, with Karori Road being a Principal Road (Planning Map 33)
- Two turning lanes from Campbell Street onto Karori Road, from a Give Way sign. There is also a parking bay along the Campbell Street frontage of the St John's Church site.
- Broken yellow lines on the opposite side of Campbell Street
- Kerbside parking spaces in front of 6 Campbell Street
- The main bus route is along Karori Road, providing public transport linkages to and from the Central City. Campbell Street does not form part of a public transport route.
- 6 Campbell Street has an existing onsite parking space and associated vehicle crossing. If 6 Campbell Street was redeveloped for residential purposes under the current Outer Residential zoning, the existing vehicle crossing could be retained.

It is useful to note the provisions of the Centres Area that are aimed at ensuring safe and practical site access:

- No onsite parking is required although the provision of one onsite loading area is required.
- Onsite parking is permitted, but a resource consent is required for the provision of more than 70 parking spaces under Rule 7.3.1.
- Any onsite parking is subject to various engineering standards.
- The required onsite loading area is also subject to minimum size and turning dimensions
- Only one vehicle access is allowed for each site frontage and the maximum width for a vehicle crossing is 6 metres.
- However, no new vehicle access can cross a primary frontage– this includes Karori Road (as shown on Planning Map 48).
- Also, no vehicle access shall be situated closer to an intersection than 20 metres for a principal road (such as Karori Road) or 15 metres for a collector road (such as Campbell Street)

It is considered that the addition of 6 Campbell Street to the wider town centre area will not significantly increase traffic movements or worsen the current traffic environment.

If 6 Campbell Street is developed in conjunction with adjoining St John's Church site the vehicle-related standards discussed above will trigger appropriate management of traffic and vehicle –related effects through the resource consent process. The noise standards discussed in Section 8.5.3 of this report will also apply to onsite vehicle-related activity, such as the loading and unloading of service vehicles.

In terms of positive effects, rezoning of 6 Campbell Street will provide a larger development site that is more capable of providing onsite servicing via a minimal number of vehicle access crossings.

For the reasons outlined above, the relief sought by the submitters is not considered necessary.

8.5.5 Lightspill

Ms Anstead (Submitter 4), Mr Butts (Submitter 7) and Mr Woolley (Submitter 11) raise concern about lightspill. Submitter 7 is particularly concerned about the effects of lightspill on sleep during evening hours and seeks that 6 Campbell Street be a landscaped buffer area between the adjoining residential properties and future development of the St John's site.

Discussion

The Outer Residential Area standards do not cover light emitted from within the zone. However, the Centres Area does set standards so that direct or indirect illumination of outdoor areas does not exceed 10 lux at the windows of residential buildings in any Residential Area. Non-compliance with this standard would require a resource consent application under Rule 7.3.5 and would require consideration of effects generated by the standards not met. These provisions are considered sufficient to control lightspill effects.

For the reasons outlined above, the relief sought by Submitter 7 is not considered necessary.

8.6 Conclusions:

The plan change is for a change of zone and a secondary frontage extension rather than a specific development proposal. The potential adverse effects of the plan change have been assessed above.

All new buildings and structures in the Centres Area require a resource consent under Rule 7.3.6 in relation to the Centres Area Design Guide with a view to achieving good urban design outcomes. Any building or activity would also be subject to a number of other standards aimed at managing effects on the surrounding environment and amenities. Non-compliance with any of these standards would require a resource consent application under Rule 7.3.7 in relation to any effects generated by the standards not met. For these reasons, the provisions of the Centres Area are considered to provide appropriate management of effects that could result from the future use and development of 6 Campbell Street in a way that is consistent with the nature of development that is already provided for on the adjoining Centres-zoned sites.

Based on the above discussion, no changes to the plan change as notified are considered necessary.

8.7 Recommendations in relation to submissions on 6 Campbell Street zone change and secondary frontage map:

That decisions sought in the following submissions be accepted:

- *Lesleigh Anne Salinger - Submitter 6*
- *Heather Sinclair on behalf of the Karori Association – Submitter 12 and Further Submission 2*

That decisions sought in the following submissions and further submitter be rejected:

- *Jacqueline Anstead – Submitter 4*
- *Sam Butts – Submitter 7 and Further Submission 1*
- *Keith Wooley – Submitter 11*

9 Overall conclusion on DPC 82

District Plan Change 82 (DPC 82) proposes minor amendments to the District Plan to ensure its efficient functioning. After considering the issues raised in submissions and further submissions on the plan change, recommendations are made throughout the report on accepting or rejecting the relief sought. All recommendations are collated in in Appendix 9 of this report.

Contact Officer: Jillian Kennemore, Senior Advisor – Place Planning Team

Appendix 1. Section 32 report for DPC 82

Proposed District Plan Change 82: Minor Zone Changes & Associated Text Changes

Section 32 Report: Plan
change rational -
consideration of alternatives,
benefits and costs

December 2017

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1. Introduction: Purpose of Section 32 Report

This plan change proposal is the result of ongoing monitoring of the Wellington City District Plan (the District Plan). It does not involve any major changes to existing objectives and policies. Instead, the plan change makes minor zone changes and associated text changes to ensure the District Plan functions in a way that most effectively and efficiently achieves the purposes of the Resource Management Act 1991 (RMA).

The Council is required to undertake an evaluation of the proposed Plan Change before the Plan Change can be publicly notified. This duty is conferred by Section 32 of the RMA, which sets out what an evaluation report must cover:

(1) An evaluation report required under this Act must -

- (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
- (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) summarising the reasons for deciding on the provisions; and*
- (c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

(2) An assessment under subsection (1)(b)(ii) must :

- (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) economic growth that are anticipated to be provided or reduced; and*
 - (ii) employment that are anticipated to be provided or reduced; and*
- (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

Best practice advice from the Ministry for the Environment encourages an iterative evaluation process with the main goals being that:

- Objectives, policies and methods are well tested against the purpose of the RMA; and
- The anticipated benefits of introducing new regulation outweigh the anticipated costs and risks.

This report is Wellington City Council's response to this statutory requirement. It documents the analysis that has taken place so that stake-holders and decision-makers can understand the rationale for the proposed plan change.

2. Statutory Context

2.1. Purpose and Principles of the RMA

The purpose and principles of the RMA are set out in Part II of the Act.

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Section 5 of the RMA describes this purpose as the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) avoiding, remedying and mitigating any adverse effects of activities on the environment.*

Part II also includes other sections, with the most pertinent provisions in this case being the requirement of Section 7 to give particular regard to:

- (b) the efficient use and development of natural and physical resources*
- (c) the maintenance and enhancement of amenity values*
- (f) maintenance and enhancement of the quality of the environment*

Section 8 of the Act requires the principles of the Treaty of Waitangi to be taken into account.

2.2. Consultation

The proposed amendments to the District Plan have been discussed with potentially interested parties. Details of this consultation are provided in later sections of this report.

Consultation on the entire proposed plan change will also be undertaken with parties identified in the First Schedule of the RMA, specifically:

- Ministry for the Environment
- Port Nicholson Block Settlement Trust
- Te Runanga O Toa Rangatira Inc.
- Greater Wellington Regional Council
- Department of Conservation
- Heritage New Zealand

3. Description of the Plan Change

This plan change comprises seven minor zone changes across the City. They have been identified as necessary by various users of the District Plan, including Council staff. Two minor text changes are also proposed to support one of the zone changes.

As noted above, the overall Plan Change does not involve significant changes to existing objectives and policies. Instead, minor zone changes are proposed to ensure the effective and efficient functioning of the District Plan.

The proposed changes include:

- Volume 1: Objectives, Policies and Rules - Two minor changes
- Volume 3: Maps - Seven minor zone changes

4. Proposed Changes to Volume 1: Objectives, Policies and Rules

4.1. References to design guides for the Mt Victoria and Thorndon Character Areas

These changes support the zone change described in Section 5.5 below.

4.1.1 Chapter 4 – Residential Area Objectives and Policies

It is proposed that the list of methods and explanatory text under Policy 4.2.2.1 be amended to ensure that the design guides for the Thorndon and the Mt Victoria North Character Areas are taken into account when assessing resource consent applications in these Areas.

The Residential Design Guide was introduced via District Plan Change 72 (DPC72) (Residential review). The Design Guide applies to development in all Residential Areas of the City and provides appendices for specific parts of the City (including Thorndon and Mt Victoria). However, this did not replace the existing design guides for the Mt Victoria North Character Area and the Thorndon Character Area which provide additional guidance for the consideration of resource consent applications in these Areas.

Proposed Changes - Amend the methods and explanatory text for Policy 4.2.2.1 as follows:

Policy 4.2.2.1 Maintain the character of Wellington’s inner city suburbs.

...

METHODS

- *Rules*
- ~~*Residential Design Guides*~~

...

Building proposals will be assessed against the Residential Design Guide (including the Thorndon and Mt Victoria appendices), the Thorndon Character Area Design Guide and the Mt Victoria North Character Area Design Guide, as relevant to the proposal.

4.1.2 Chapter 5 – Residential Area Rules, Standards and Appendices

Under Rule 5.3.5, the construction, alteration of, and addition to residential buildings, accessory buildings and residential structures in the Thorndon and Mt Victoria North Character Areas requires a resource consent as a Discretionary Activity (Restricted) in respect of:

- *design (including building bulk, height, and scale), external appearance, and siting (including landscaping, parking areas, vehicle manoeuvring and site access)*
- *provision of parking and site access*

It is proposed that the side note associated with Rule 5.3.5 be amended to make it clear the design guides for the Thorndon and Mt Victoria North Character Areas are relevant to the consideration of resource consent applications under this rule. This change supports the amendments outlined in sections 4.1.1 and 5.5 of this report.

Proposed Changes - Amend the side note for Rule 5.3.5 as follows:

Rule 5.3.5

...

Note, section 3.2.4 requires a Design Statement to accompany any application for resource consent that is to be assessed against the Residential Design Guide, the Thorndon Character Area Design Guide or the Mt Victoria North Design Guide, as relevant to the proposal.

4.2. Section 32 Considerations

It is considered that the proposed amendments described above are appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below. This analysis is relevant to considering the efficiency, effectiveness and appropriateness of the proposed plan change, as required under Section 32 of the RMA:

- The costs (or disadvantages) of the amendments are considered to be low given that they clarify the intention that the design guides for the Mt Victoria North and Thorndon Character Areas be taken into account when resource consents are required for sites in these Character Areas. This is consistent with current practice.
- The benefits of the amendments include greater clarity as to how the relevant objectives and policies of the District Plan are to be given effect to through District Plan rules, standards and other methods. In particular, the changes will reduce ambiguity in the assessment of resource consent applications. If these changes are not made, the possibility of misinterpretation and unintended environmental outcomes will be an ongoing risk.

5. Volume 3 – District Plan Maps

5.1. Zone Change - 142 Tauhinu Road, Miramar

A zone change is proposed to address the split zoning of a Council-owned property in Miramar. Details of the zone change are shown in Attachment 1 of this report.

The house at 142 Tauhinu Road, Miramar straddles the boundary between Open Space B (shaded green) and Outer Residential Area (shaded yellow), as shown in Figure 1.



Figure 1: Location (circled) and District Plan zoning of 142 Tauhinu Road, Miramar

- The houses numbered 130-144 Tauhinu Road are all owned by the Council, as part of its social housing portfolio
- These houses and the adjoining reserve are all on the same title. The title does not have reserve status
- The houses are managed by City Housing and the Open Space portion is managed by Parks, Sport and Recreation
- The split zoning was identified through a routine check by Council's Property Team.

Residential activities are inconsistent with the provisions of the Open Space B zone. Future additions and alterations to the existing house could trigger the need for resource consent, even though the Open Space land involved is not considered to have open space or conservation values. It is therefore considered appropriate to rezone this portion to Outer Residential. This would be consistent with how the site is used and allow it to be appropriately managed as part of the Council's housing portfolio.

5.1.1 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs (or disadvantages) of the zone change are considered to be low given that the site is already developed and used for residential purposes (with associated existing use rights). Due to its topography and adjoining development, the site is not readily available for open space use. The area involved is small, compared to the size of the wider area of the adjoining portion of Open Space B (natural environment) land.
- The benefits of the zone change include enabling the housing stock to be efficiently managed. It also provides a logical boundary between the areas of Open Space B and the Outer Residential Area and creates an accurate expectation regarding future development of this site. Not proceeding with the zone change would expose the site to the risk of unnecessary resource consents and associated costs.

5.2. Zone Change - 16 Terrace Gardens (Flagstaff Hill), Te Aro

A zone change is proposed to reflect the current and intended future use of an inner city park at 16 Terrace Gardens (see photograph in Figure 2 below). Details of the zone change are shown in Attachment 2 of this report.



Figure 2: Photograph of Flagstaff Hill Park

Figure 3 shows the location and zoning of a Council-owned property known as Flagstaff Hill (16 Terrace Gardens). It is accessed via Flagstaff Lane, from the western side of Willis Street in the vicinity of Willis Street Village. The site has been used as a park since 1972, but was only acquired by Council in 2015.

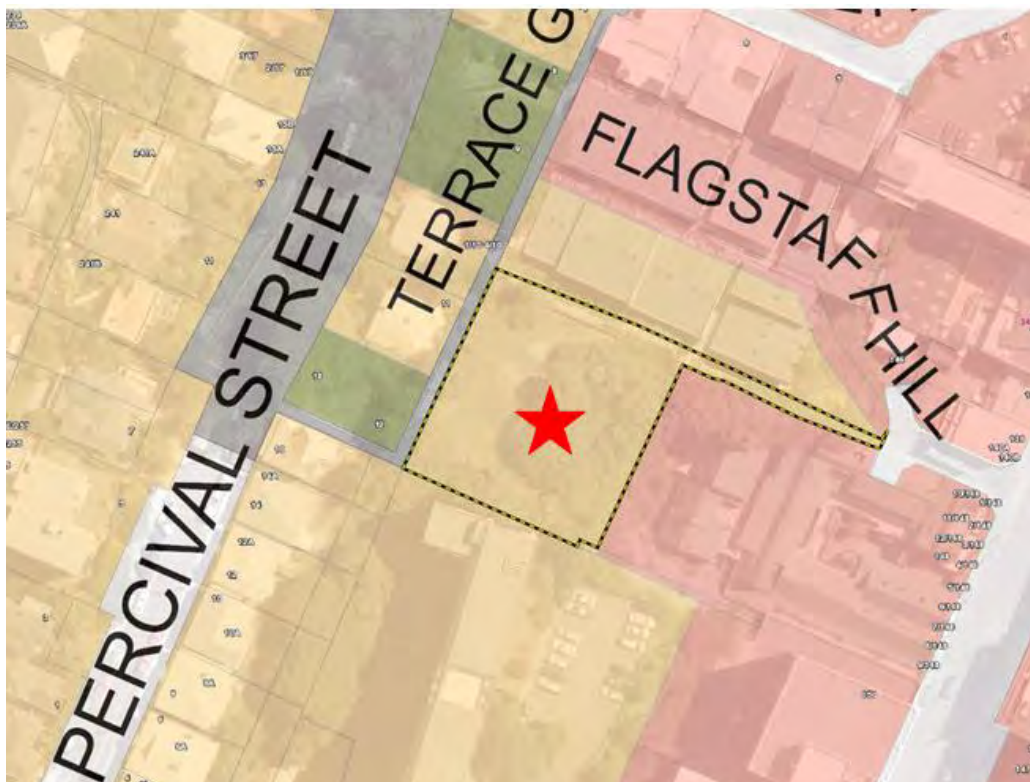


Figure 3: Location (star symbol) and current zoning of 16 Terrace Gardens

The property is currently zoned Inner Residential (shaded orange), reflecting the adjoining residential land use and zoning to the north, west and south. It also reflects the earlier private ownership of the site. Now that the site has been secured by the Council for long term use as an inner city park, it is appropriate to change the zoning to Open Space A (Recreational Facilities). A zoning of Open Space A is consistent with the zoning of other Council-owned green spaces in the vicinity, such as 8, 9 and 12 Terrace Gardens (shaded green in Figure 3).

5.2.1 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs (or disadvantages) of changing the zone from residential to open space are considered to be low given that the site is already being used for open space purposes and will remain as such. .
- The benefits of the zone change include greater clarity regarding the current use of the site and expectations regarding its future use and development. The proposed Open Space A (Recreational Facilities) zoning is in keeping with similar Council-owned land in the vicinity.

5.3. Zone Change - 7C Melksham Drive, Churton Park

A zone change is proposed to reflect current and intended future use of an reserve lot in Churton Park. Details of the zone change are shown in Attachment 3 of this report.

Figure 4 shows an area of Churton Park to the north of the shopping centre including a 1,436m² land-locked, Council-owned lot with a street address of 7C Melksham Drive. The lot is part of a wider bush-covered gully that Council holds as a recreation reserve. This lot is zoned Outer Residential (shaded yellow), whereas the wider reserve is zoned Open Space A (shaded green). This zoning anomaly stems from the timing of subdivisions and plan changes in the area.



Figure 4: Aerial photographs showing location (star symbol) and District Plan zoning of 7C Melksham Drive, Churton Park

The Outer Residential zoning of 7C Melksham Drive creates an inaccurate expectation of its future use and development. Accordingly, it is proposed that the zoning of this property be changed from Outer Residential to Open Space A (Recreational Facilities). The proposed zoning is in keeping with the intended use of the property and the zoning of the wider recreation reserve.

5.3.1 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs (or disadvantages) of changing the zone from residential to open space are considered to be low given that the site is already being used for open space purposes and the intention is to keep it that way.
- The benefits of the zone change include greater clarity regarding the anticipated use and development of this site. The change will also provide a logical boundary between the areas of Open Space A (Recreational Facilities) and the Outer Residential Area.

5.4. Zone Change - 43 Peppertree Lane land exchange, Woodridge

A zone change is proposed to facilitate a land exchange to resolve a private residential encroachment on to an adjoining Council reserve. Details of the zone change are shown in Attachment 4 of this report.

Figure 5 shows a residential property at 43 Peppertree Lane, Woodridge. This property is zoned Outer Residential. The owners of the property have informally (and mistakenly) encroached on to an adjoining Council-owned scenic reserve (see star symbol). The reserve is zoned Open Space B (Natural Environment) and extends from Colchester Lane (to the south) to Mark Avenue (to the north).



Figure 5: Aerial photographs showing the encroachment (star symbol) of 43 Peppertree Lane, Woodridge, onto the adjoining Council reserve

It is likely that bulk earthworks associated with an earlier subdivision inadvertently extended beyond the boundary for 43 Peppertree Lane onto the adjoining reserve. Over the years, the owners have fenced the informal encroachment and landscaped it with lawns and gardens. The following photograph in Figure 6, taken from the street frontage, shows that the encroachment is not readily visible beyond the site.



Figure 6: Photograph showing street frontage of 43 Peppertree Lane, Woodridge

In September 2016, the Council agreed in principle for the informal encroachment to be exchanged for an area of bush in the rear yard of 43 Peppertree Lane. This exchange will also include a financial contribution from the private owner to cover the different land areas involved. To facilitate this land exchange, it is proposed that the areas be re-zoned accordingly, as shown in Figure 7.

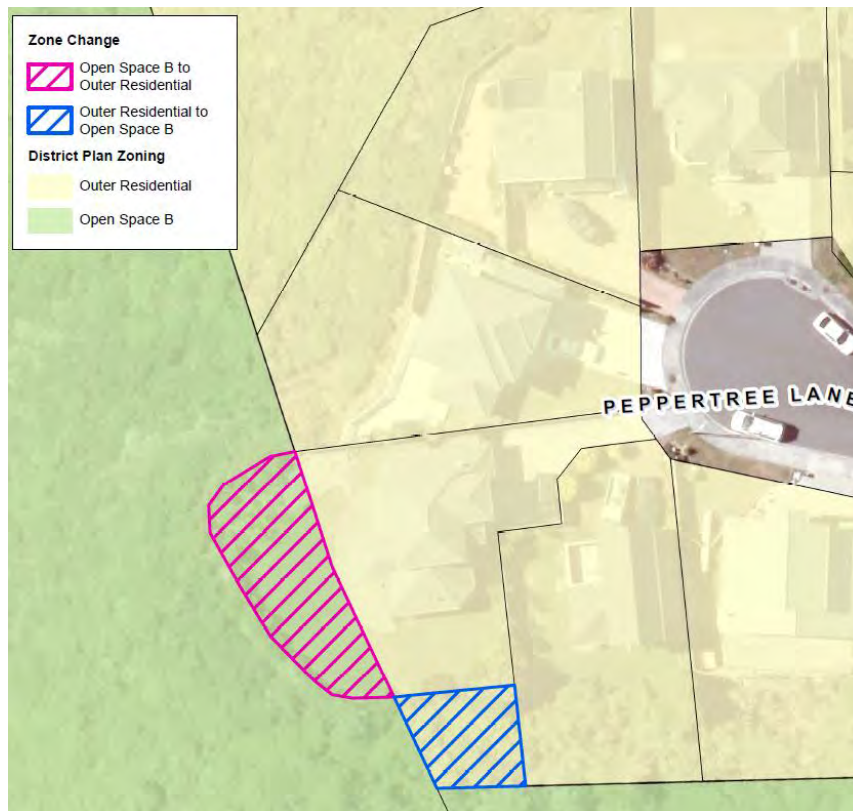


Figure 7: Proposed rezoning of the land exchange at 43 Peppertree Lane, Woodridge

5.4.1 Consultation

In March 2017, Council’s Property team sent letters to the following parties to explain the proposed land exchange:

- 24 Peppertree Lane
- 41 Peppertree Lane
- Newlands Paparangi Progressive Association
- Seton Nossiter Park Working Group

No responses were received and the proposal was formally notified under the Reserves Act 1977. Submissions closed 12 June 2017, with no substantive issues being raised.

Further interest is considered to be unlikely. However, members of the public will have further opportunities to formally submit on the zone change when this proposed plan change is publicly notified under the RMA.

5.4.2 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs (or disadvantages) of the zone change are considered to be low given that the area of recreation reserve involved is small and relatively inaccessible. Also, it is

considered that any future development of 43 Peppertree Lane will still be in keeping with the scale of neighbouring development, even though it will be slightly larger.

- The benefits of the zone change include greater clarity to District Plan users regarding the anticipated use and development of the land areas involved. The zone change will also provide a logical boundary between the areas of Open Space B (Natural Environment) and Outer Residential Area.

5.5. Zone Change - St Gerard's Monastery land exchange, Mt Victoria

A zone change is proposed to facilitate a land exchange to secure ownership of an existing access path to a council-owned reserve adjoining St Gerard's Monastery. Details of the zone change are shown in Attachment 5 of this report.

Figure 8 shows the land involved in the proposed land exchange, including the current land parcels and their ownership. The existing access path crosses the land that contains the St Gerard's Monastery building; this property is owned by the Institute for World Evangelisation (ICPE). An unformed access leg extends between the Council reserve and the Oriental Terrace zig-zag pathway that provides pedestrian only access between the top of Hawker Street and Oriental Parade. The unformed access leg sits between the eastern side of the St Gerard's property and a ICPE-owned residential property at 1 Oriental Terrace.



Figure 8: Showing the land involved in the proposed St Gerard's land exchange

In early 2016, the Council resolved to undertake the land exchange under the Reserves Act 1977. The formed path is to become part of the Council reserve. In return, the unformed access leg will become part of the residential property at 1 Oriental Terrace. The ICPE intends to sell 1 Oriental Terrace to help fund seismic strengthening of St Gerard's. The triangular piece of land between the formed path and the unformed access leg will also become part of 1 Oriental Terrace given that it is separated from St Gerard's by the formed path.

Rearrangement of the boundaries will be carried out through a subdivision under the Reserves Act 1977, as shown in Figure 9, which also shows existing and proposed easements:

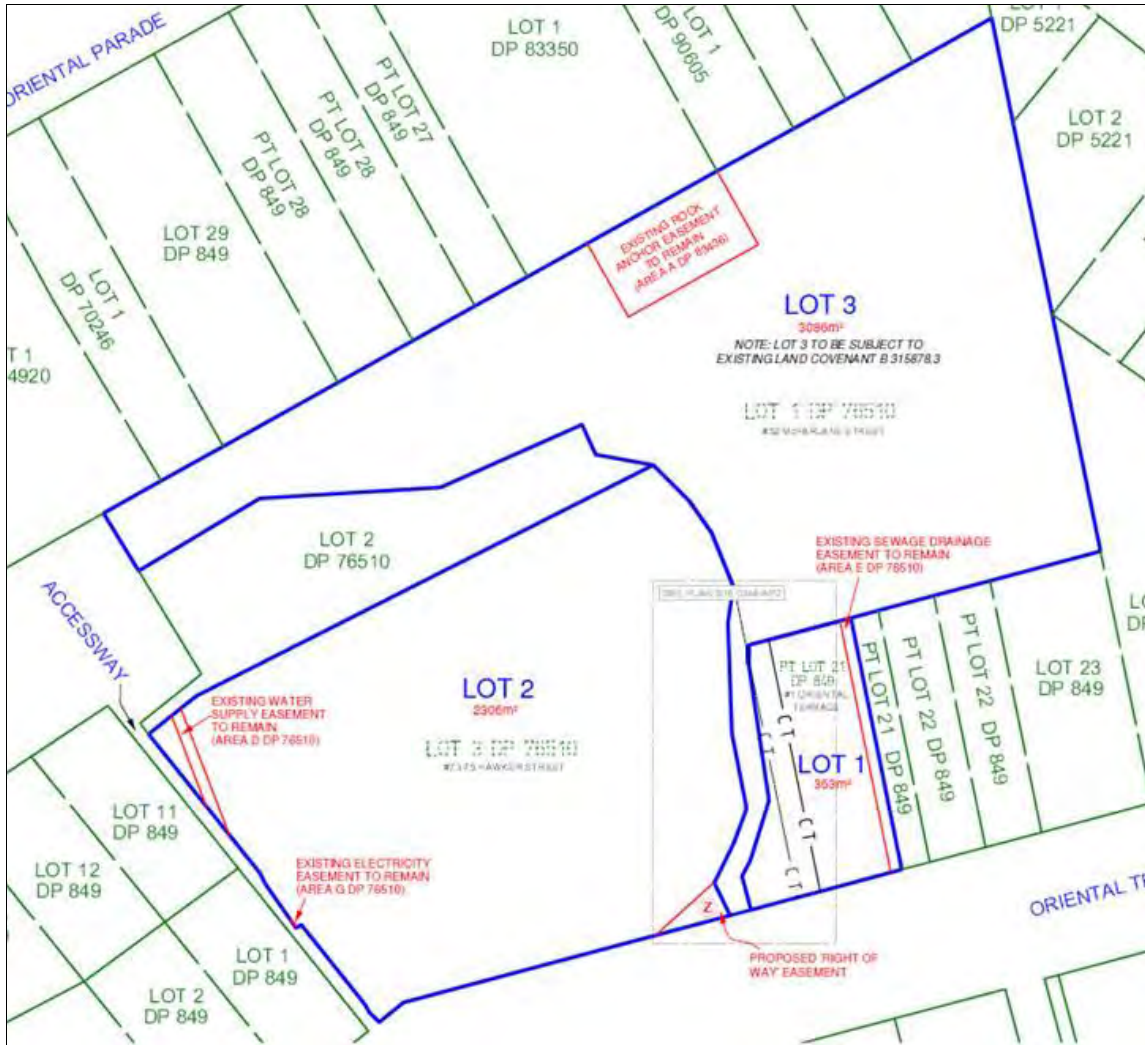


Figure 9: Proposed subdivision to facilitate St Gerard's land exchange

The Council's resolution to proceed with the land exchange is subject to a District Plan change under the RMA to rezone the land involved (as shown in Figure 10):

- The formed access path will be changed from Inner Residential to Open Space, in keeping with the Open Space B zoning of the wider reserve, and
- The unformed access leg will be changed from Open Space B to Inner Residential, in keeping with the zoning of 1 Oriental Terrace and the triangle of land from the St Gerard's lot.

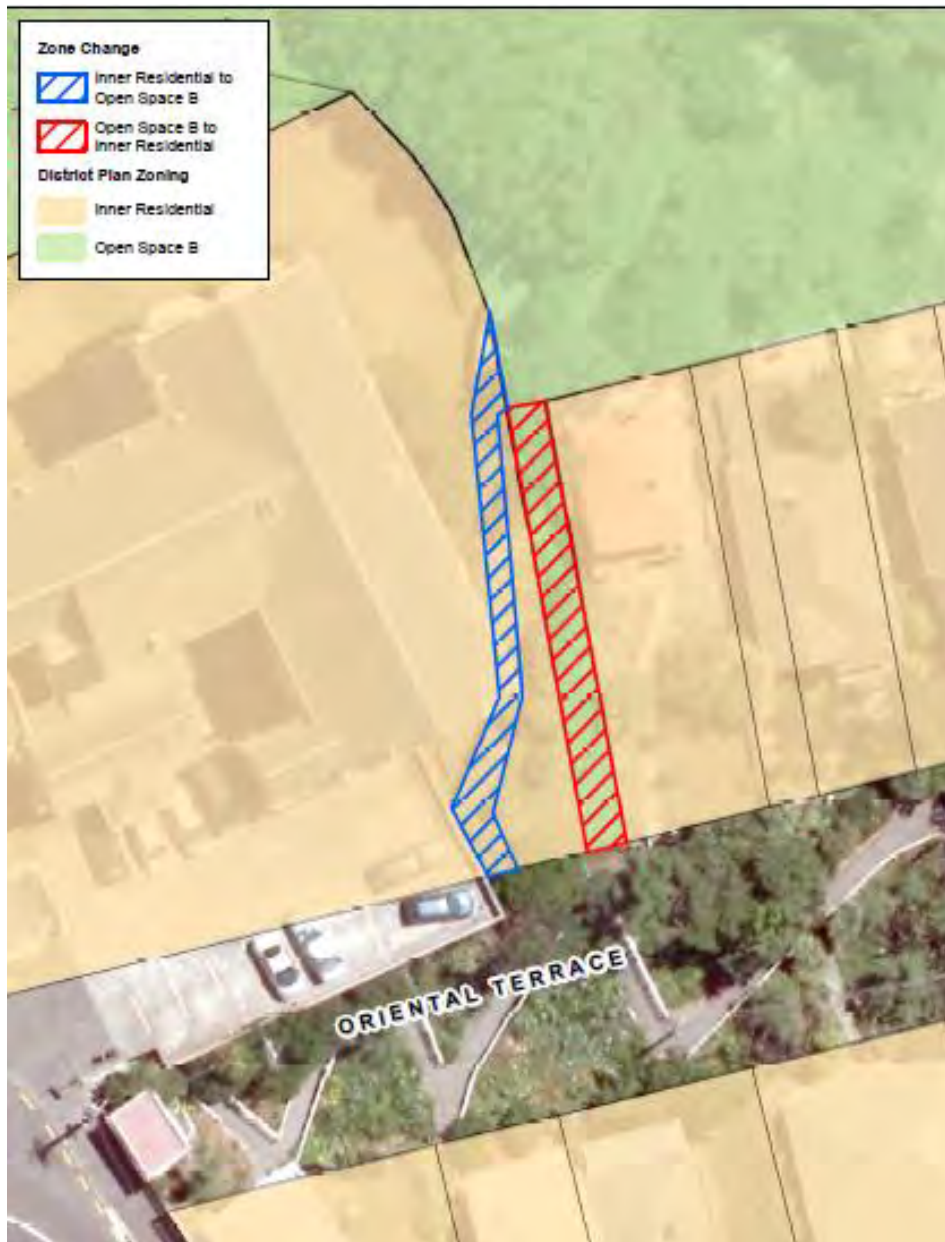


Figure 10: showing zone change proposal

5.5.1 District Plan Context

In considering the appropriateness of the proposed zone change, the following comments on the wider District Plan context are provided:

- St Gerard's Monastery & Church buildings are Category 1 Historic Places on the New Zealand Heritage List/Rārangī Kōrero. They are also on the District Plan Heritage List. The District Plan listing will stay with the new Lot 2 and therefore does not need to be amended (apart from noting the new legal description once the subdivision is finalised).
- 1 Oriental Terrace is not listed on the New Zealand Heritage List/Rārangī Kōrero or the District Plan Heritage List.
- The main concerns that have been expressed by various stakeholders have focussed on the effects that future development of an enlarged 1 Oriental Terrace could have on the views of St Gerard's and the character of the Oriental Terrace zigzag path. It is therefore useful to examine the District Plan

standards that would apply to any redevelopment of 1 Oriental Terrace through the Inner Residential zoning :

- 1 metre front yard requirement.
 - 50% maximum site coverage
 - 35m² ground level open space requirement.
 - Maximum building height of 10 metres, plus Building Recession Planes in relation to the external boundaries of the site (an extra 1 metre is also allowed for gables)
 - One onsite parking space per household unit (although the ICPE has indicated that it could make vehicle spaces available on its existing vehicle deck to any future development of 1 Oriental Terrace).
- There are a number of viewshafts in relation to St Gerard's that are protected through Central Area provisions. However, these provisions only relate to the city-facing façade of the monastery.
 - Maximum height limits also apply to Oriental Bay sites to protect views of St Gerard's from Oriental Bay. However, 1 Oriental Terrace sits outside the areas to which these height limits apply.
 - The St Gerard's site and the properties along the Oriental Terrace zig-zag path are within the Mt Victoria North Character Area (as shown in Figure 11). Rule 5.3.5 of the District Plan, requires a resource consent for 'the construction, alteration of, and addition to residential buildings, accessory buildings and residential structures' within the Mt Victoria North Character Area. This rule applies even if a proposal complies with the Permitted Activity standards of the Inner Residential Area. Any future redevelopment of an enlarged 1 Oriental Terrace would require a resource consent under this rule. The application would be assessed in relation to the Design Guide for the Mt Victoria North Character Area (noting the minor amendments proposed under sections 4.1.1 and 4.1.2 of this report). The Design Guide includes a clear expectation that any work will complement the form and character of St Gerard's and the surrounding neighbourhood.



Figure 11: Mt Victoria North Character Area (1 Oriental Terrace – see star symbol)

- While the properties in Oriental Terrace are in the Mt Victoria North Character Area, they are not in the Mt Victoria North/St Gerard's sub area (see Figure 12), of the Mt Victoria appendix of the Residential Design Guide. As a result, these properties are not subject to the rules requiring a resource consent to demolish a pre-1930 building (or remove architectural features etc). However, as discussed above, it is considered that any future development of an enlarged 1 Oriental Terrace would still be well-controlled under Rule 5.3.5.



Figure 12: The Mt Victoria area covered by the Mt Victoria North/St Gerard's sub area of the Residential Design Guide (1 Oriental Terrace – see star symbol)

- An alternative option to specifically manage the development of an enlarged 1 Oriental Terrace would be tailored 'spot provisions' within the rules of the Inner Residential Area. However, site-specific provisions are not considered to be best planning practice. Specific provisions for this site could have the effect of making the plan more complicated. Such an approach does not support efficient and effective plan provisions. The effects of future development of 1 Oriental Terrace can be sufficiently managed through existing plan provisions.

5.5.2 Consultation

As noted above, community consultation has already occurred under the Reserves Act 1977, including the involvement of the following WCC Business Units:

- Parks, Sport and Recreation – Open Space and Recreation Planning
- Property

Representatives from these business units agree with the proposed plan change for the reasons outlined above.

Individual discussions and correspondence about the proposed zone change have taken place with parties that demonstrated interest in the earlier Reserves Act 1977 process:

- Marion Evans – an Oriental Terrace resident who is interested in the character and heritage values of the Oriental Terrace zig-zag and the house at 1 Oriental Terrace
- Heritage New Zealand staff
- Mt Victoria Residents' Association (MVRA) representatives
- Redemptorist Fathers Trust Board – no response

Overall, these parties are:

- Concerned about effects on the heritage value of St Gerard's Monastery site
- Concerned about effects on the character and amenity values of Oriental Terrace properties and the zig-zag pathway

Heritage New Zealand notes that the District Plan provisions will require consideration of St Gerard's in the assessment of any future development of 1 Oriental Terrace. Marion Evans and MVRA, remain concerned that the administration of Rule 5.3.5 and the assessment of final building designs would be subject to the discretion of the Council's resource consent planners and urban designers. They are concerned that there are few rights for adjoining owners or the wider public to have a say on the future development of an enlarged 1 Oriental Terrace.

An incorrect email address explains a lack of response from the Oriental Bay Residents' Association (OBRA). However, the issues raised by Marion Evans, MVRA and Heritage New Zealand staff are likely to be similar to potential OBRA concerns.

5.5.3 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs of the zone change are considered to be low given that the area involved is small and that any future development of 1 Oriental Terrace will be sufficiently managed through the existing provisions of the Inner Residential Area and the Mt Victoria North Character Area.
- The benefits of the zone change include accurately reflecting the existing use of the land involved and providing a sensible zone to manage the future use and development of an enlarged 1 Oriental Terrace. The zone change also supports a land exchange that will secure future access to the Council reserve while at the same time protecting the heritage values of St Gerard's monastery and church.

5.6. Zone Change – 6 Campbell Street, Karori

A zone change is proposed to support the Council's recent purchase of a 541m² residential property at 6 Campbell Street, Karori. Details of the zone change are shown in Attachment 6 of this report.

As shown in Figure 13, the property adjoins the former St John's Church site (1,020m²) on the corner of Karori Road and Campbell Street. Residential properties adjoin the site to the south, with commercial and community activities to the west, including the Mobil Station and the Karori Event Centre (under construction).



Figure 13: Aerial photograph showing the location and District Plan zoning of 6 Campbell Street, and neighbouring land uses

The Council acquired the St John's site some time ago and it was rezoned from Outer Residential to Centres through DPC 73 (Suburban Centre Review) to help address a recognised shortage of commercially zoned land in the Karori Town Centre vicinity. The Council's intention is that the St John's site be commercially developed in a way that complements the character and vitality of the Karori Town Centre. More recently, Council purchased the adjoining property at 6 Campbell Street to improve options for the future development of this corner site.

It is therefore considered appropriate to rezone 6 Campbell Street from Outer Residential to Centres so that future development of the combined site can be managed in an integrated way under the District Plan.

Any new buildings will require a resource consent application under the provisions of the Centres Area. The application will be assessed against the Centres Design Guide and standards aimed at the protection of the amenity of residential neighbours. For example, while the maximum building height is 12 metres in the Centres Area (compared to 8 metres under the current Outer Residential Area), the following standards apply when a site adjoins a Residential Area:

- Buildings and structures must comply with the building recession plane requirements at any point along a boundary adjoining a Residential Area and must be no higher than 3 metres within 5 metres of a Residential Area boundary (Standard 7.6.2.3.1)
- All windows above ground floor level and within 5 metres of and facing a Residential Area boundary shall have privacy glazing (Standard 7.6.2.6.1)

- Any deck, terrace or balcony with a finished level that is 1.5m or more above ground level measured at the boundary shall be no closer than 5 metres to an adjoining Residential Area boundary (Standard 7.6.2.6.2)
- The Centres rules also set standards for noise emitted on the site and received at residential boundaries (Standards 7.6.1.1.5) and for fixed plant noise (Standard 7.6.1.2)

The photograph in Figure 14 shows the existing development at 6 Campbell Street and the neighbouring properties. The above standards will apply along the common boundary with the residential properties at 8 and 8a Campbell Street. It is noted that there is a driveway running along this boundary. As this driveway cannot be built over, it will provide an additional buffer from future development at 6 Campbell Street.



Figure 14: Photograph showing 6 Campbell Street and adjoining properties

The Campbell Street frontage of the St John's site is subject to secondary frontage provisions that control vehicle parking areas and ground level activities to maintain an active building edge. It is proposed that the secondary frontage be extended across the 6 Campbell Street frontage. Details of the proposed change are shown Attachment 8 of this report.

5.6.1 Consultation

The Council's purchase of 6 Campbell Street has been reported in local media, including social media channels such as the 'I Love Karori' Facebook group.

Individual letters have been sent to residential neighbours in the vicinity. An onsite meeting took place with the adjoining neighbour at 8a Campbell Street, to fully explain the rules and standards that apply in the Centres Area.

The key concerns of residential neighbours relate to any adverse effects that development of 6 Campbell Street under the Centres Area would have on their amenities compared to the current zoning. Potential adverse effects include:

- Noise from vehicle servicing – especially if it was a supermarket with frequent, large deliveries
- Visual appearance
- Shading and visual dominance – especially for immediately adjoining properties

However, as discussed above, it is considered that the provision of the Centres Area will ensure that these concerns are well controlled.

5.6.2 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The main cost (or disadvantage) is the loss of residential-zoned property. However, this cost is considered to be low as the proposed Centres zoning provides for mixed use development, including residential use above ground level. Potential effects for residential neighbours from future development of the corner site are considered to be well provided for in the rules and standards of the Centres Area.
- A key benefit of the zone change is that it will help fill a shortage of commercially zoned land in the Karori Town Centre. The proposed zoning will clarify the anticipated use and development of 6 Campbell Street and is in keeping with adjoining commercially zoned properties.

5.7. Zone Change - 2A Myrtle Crescent, Mt Cook

A zone change is proposed to address the split zoning of a privately-owned property in Mt Cook. Details of the zone change are shown in Attachment 7 of this report.

The property concerned is shown in the following aerial photographs (Figure 15). It has frontages to Myrtle Crescent and Douglas Street (2A Myrtle Crescent and 9 Douglas Street respectively).



Figure 15: Aerial photographs showing the location of 2A Myrtle Cres (star symbol), also known as 9 Douglas St

Figure 16 shows that most of the property is zoned Centres (shaded blue). However, a small triangle along the Myrtle Crescent frontage of the site is zoned Inner Residential (shaded light orange).

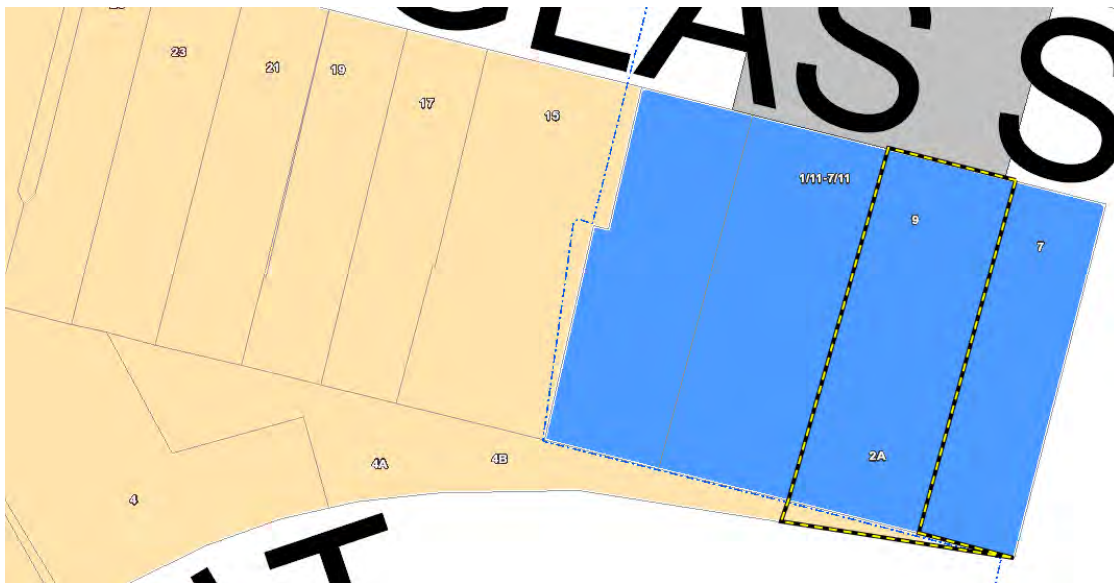


Figure 16: District Plan zoning of 2A Myrtle Cres (9 Douglas St)

This split zone stems from a subdivision of the adjoining property at 4A/4B Myrtle Crescent around 2002, when the triangular portion was incorporated into 2A Myrtle Crescent. The purpose of the subdivision was to provide vehicle access from Myrtle Street to a garage on the ground floor of a building constructed on the site in 2002, as shown in Figure 17.



Figure 17: Photograph showing the existing building at 2A Myrtle Crescent and triangle of land zoned Inner Residential

An Inner Residential zoning is not considered appropriate for this triangular portion of the property given the existing use and zoning of both the property itself and neighbouring sites. It is not clear why a zone change was not considered at the time of the 2002 subdivision. Unless a zone change takes place, the Inner Residential rules will trigger the need for resource consent for any future development of the wider property, even if this development is provided for in the Centres Area.

Accordingly, it is proposed that the zoning of the triangular portion be changed from Inner Residential Area to Centres.

5.7.1 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs (or disadvantages) of the zone change are considered to be low given that the area involved is small. Also, any future development of the overall property will be appropriately managed under the Centres provisions.
- The benefits of the zone change include conveying a clear expectation regarding the anticipated use and development. The zone change will also provide a logical boundary between the zones involved. The current zoning does not make sense in relation to the current use of the site and places unnecessary restrictions on the use of a property that is largely zoned commercial.

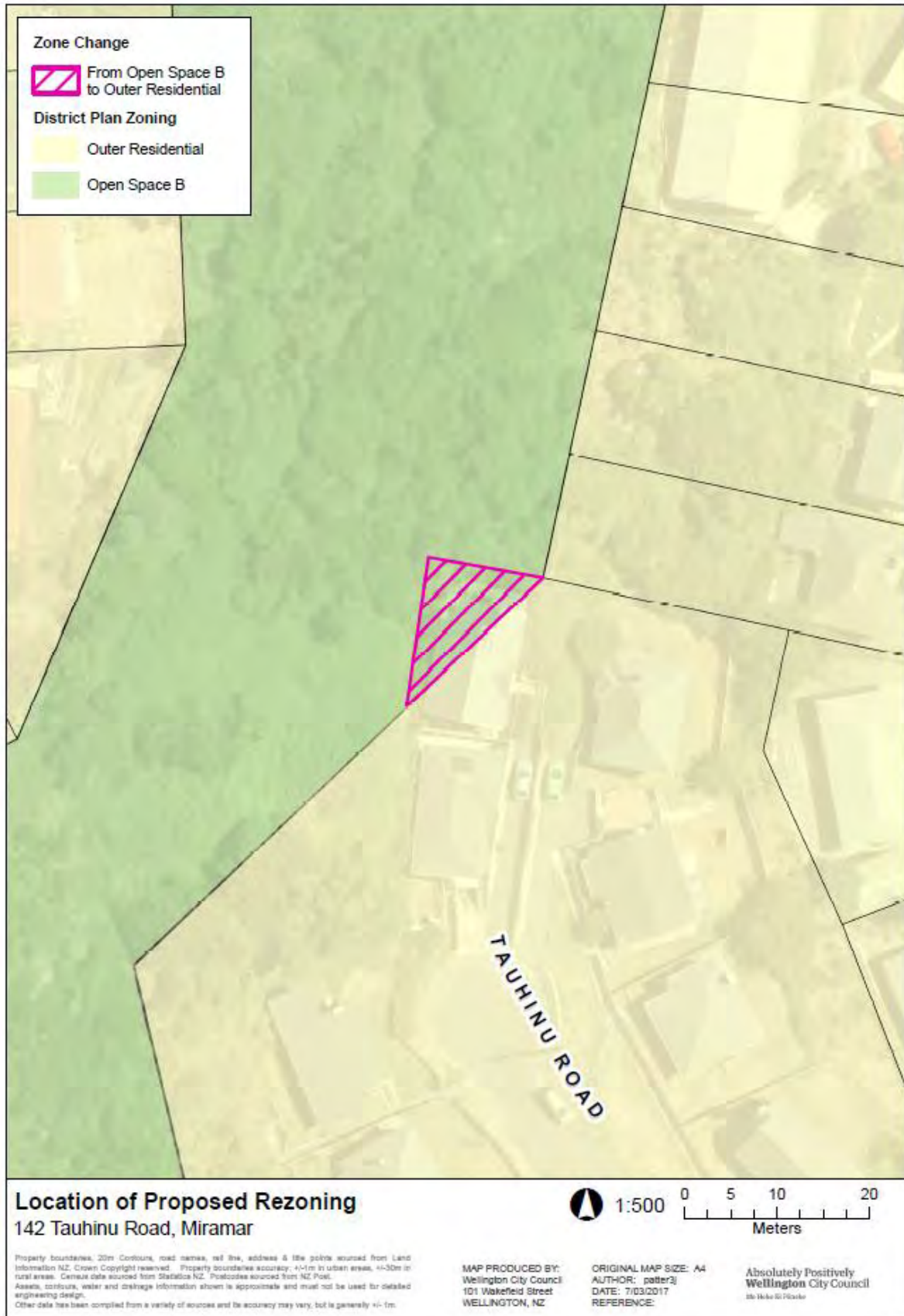
6. Overall Section 32 Conclusions

The purpose of proposed Plan Change 82 is to enable the efficient and effective functioning of the District Plan under the RMA. This approach is considered to be the most appropriate way to achieve the purpose of the RMA for the following reasons:

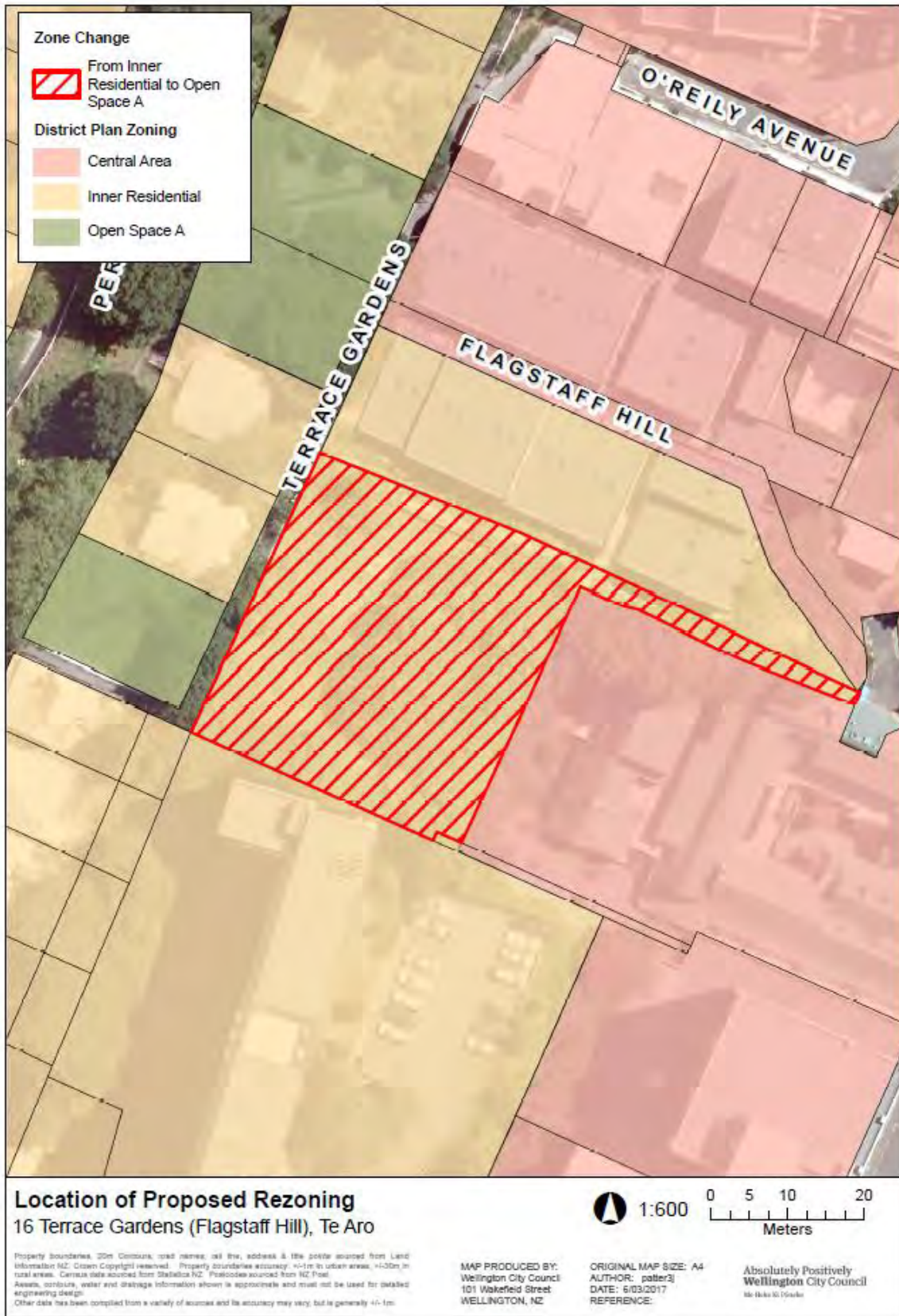
- The proposed amendments are designed to effectively and efficiently address targeted issues in ways that are consistent with the objectives and policies of the District Plan while avoiding major disruption to the overall approach of the District Plan
- The minor zone changes will accurately reflect the purpose the land involved. This provides clarity around current and future land uses and provides for the efficient use of the land
- The proposed amendments avoid unnecessary effort and associated costs until a major District Plan review is carried out
- Overall, it is considered that the benefits of these amendments outweigh their costs.

Attachments

Attachment 1: Zone Change – 142 Tauhinu Road, Miramar



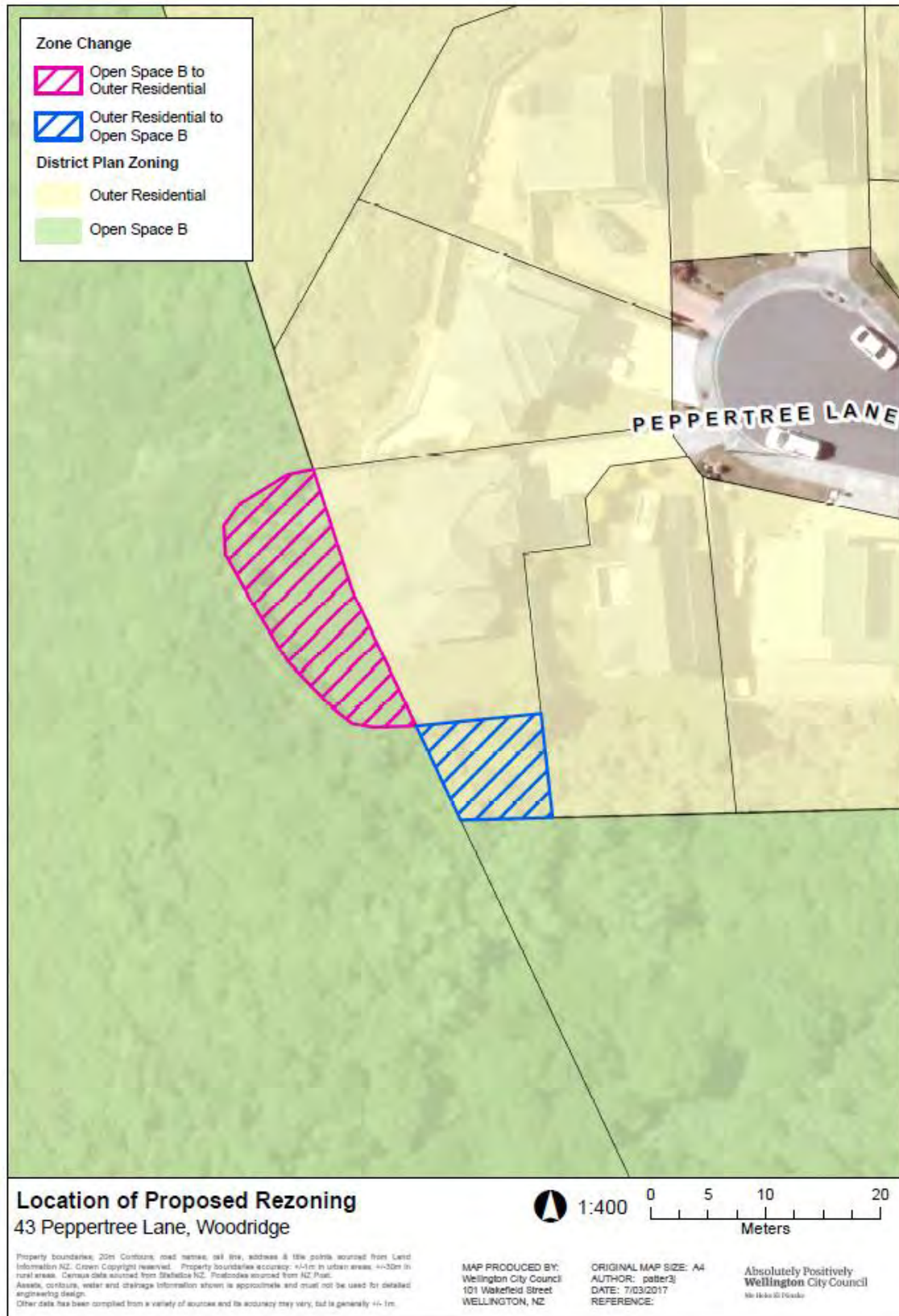
Attachment 2: Zone Change – 16 Terrace Gardens (Flagstaff Hill)



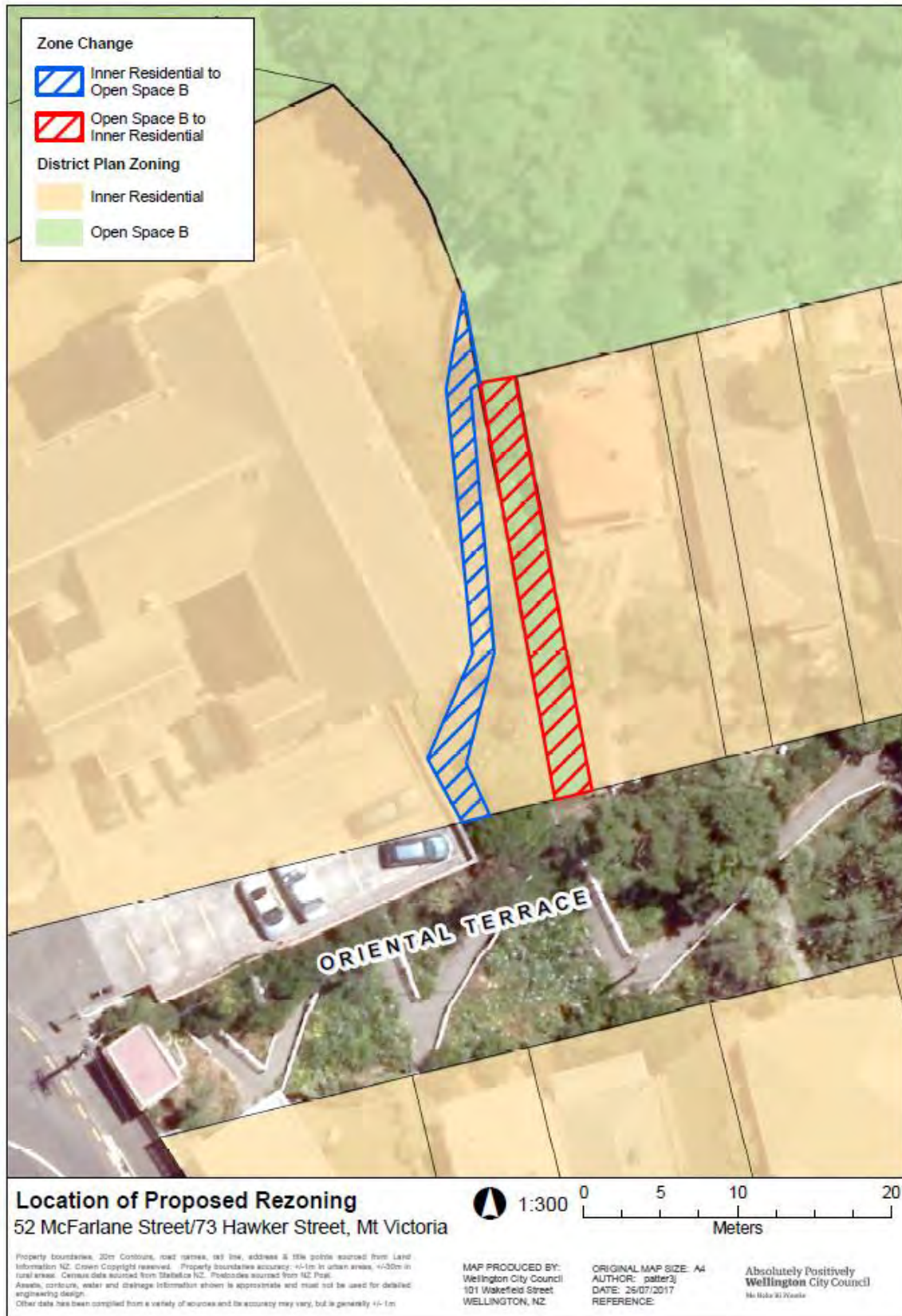
Attachment 3: Zone Change – 7C Melksham Drive, Churton Park



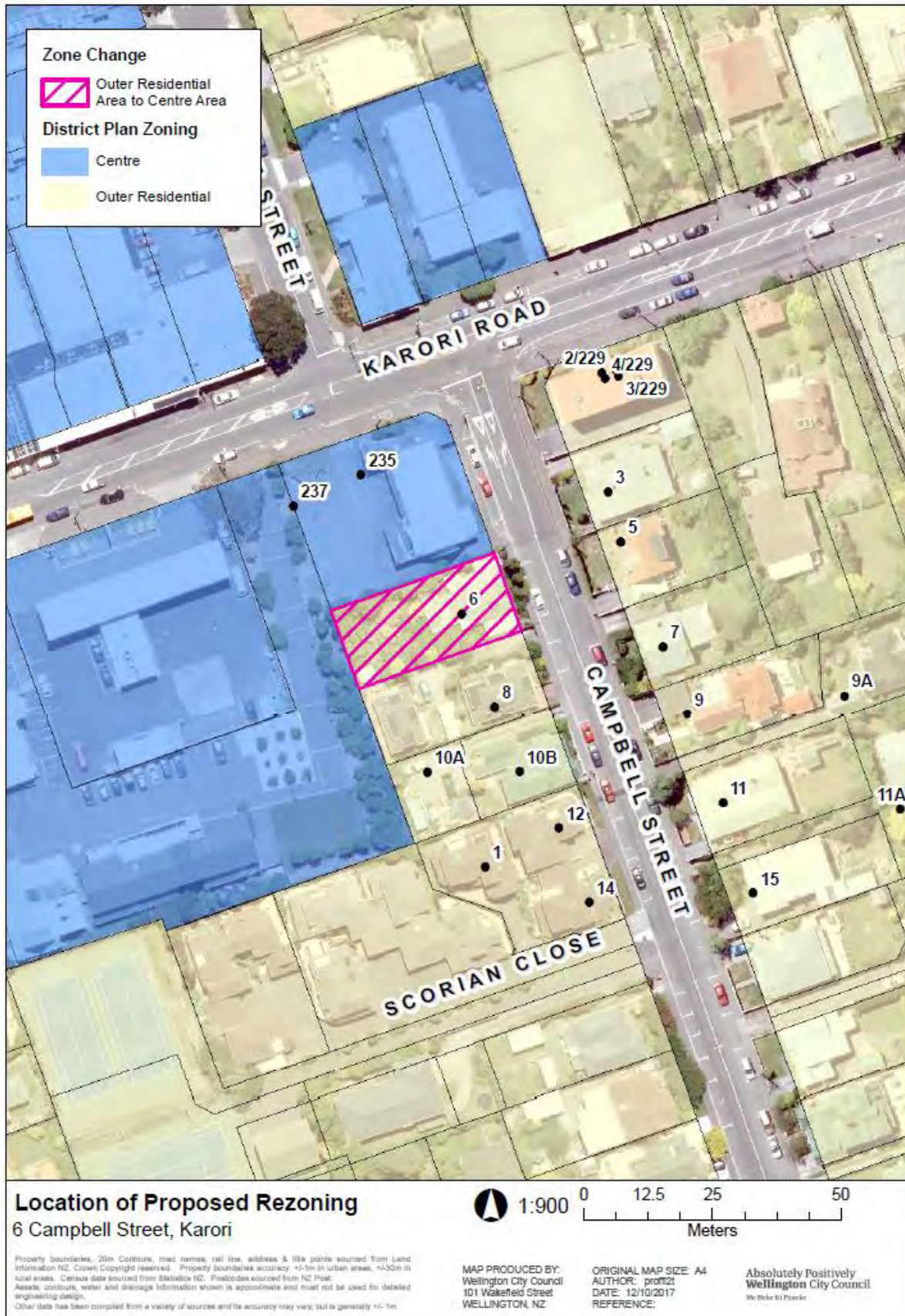
Attachment 4: Zone Change – 43 Peppertree Lane, Woodridge



Attachment 5: Zone Change – St Gerard’s Monastery, Mt Victoria



Attachment 6: Zone Change – 6 Campbell Street, Karori



Attachment 7: Zone Change – 2A Myrtle Crescent, Mt Cook



Attachment 8: Extension of Secondary Street Frontage – 6 Campbell Street, Karori (Planning Map 48)



Appendix 2. Summary of decisions requested by submitters on DPC 82

PROPOSED DISTRICT PLAN CHANGE 82:

Seven zone changes and two associated text changes to the Wellington City District Plan

Summary of Decisions Requested by Submitters

March 2, 2018

Disclaimer: This document provides a summary of the decisions requested by persons making submissions on Wellington City Council's Proposed District Plan Seven zone changes and two associated text changes to the Wellington District Plan. Whilst every possible care has been taken to provide a true and accurate summary, the information contained in this document is not required by the Resource Management Act 1991 to provide a full account of the submissions received. Accordingly, readers wishing to understand the submissions are advised to refer to the full copy of the original submissions, available upon request or at <https://wellington.govt.nz/district-plan-change-82>

**Absolutely Positively
Wellington City Council**
Me Heke Ki Pōneke

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|--|--|----------------------------------|--------------------|
| 1 | Heritage New Zealand Finbar Kiddle | PO Box 2629, Wellington, NZ 6140 | No |
| Submission Relates to: | Alterations to Volume I – Amendments to Chapter 4 Residential Policies and Chapter 5 Residential Rule 5.3.5 Alterations to Volume III – Maps: Proposed Zone Changes at 73 Hawker Street (St Gerard's) and 52 McFarlane Street | | |
| Support/Oppose: | Support | | |
| Submission | | | |
| <p>This submission relates to the matters within the plan change relating to historic and cultural heritage.</p> <p>1.1. The submitter supports the proposed alterations to Policy 4.2.2.1 and Residential Rule 5.35 because:</p> <ul style="list-style-type: none">The Thorndon Character Area Design Guide and the Mount Victoria North Character Area Design Guide are important for ensuring development is appropriate with respect to the areas' historic heritage value. <p>1.2. The submitter also supports the proposed rezoning of 73 Hawker Street and 52 McFarlane Street because:</p> <ul style="list-style-type: none">The submitter is satisfied that the existing Inner Residential Zone Rules will provide an appropriate level of control to ensure adverse effects of future development at 1 Oriental Terrace on the heritage values of St Gerard's Monastery and Church (Category 1 Historic Places) are appropriately managed through the resource consents process. | | | |
| Decision Requested | | | |
| <p>The submitter seeks the following decision from Council:</p> <p>Retain the proposed alterations to Policy 4.2.2.1 and Rule 5.35, and the rezoning of 73 Hawker Street and 52 McFarlane Street, as notified</p> | | | |

Disclaimer: This document provides a summary of the decisions requested by persons making submissions on Wellington City Council's Proposed District Plan Seven zone changes and two associated text changes to the Wellington District Plan. Whilst every possible care has been taken to provide a true and accurate summary, the information contained in this document is not required by the Resource Management Act 1991 to provide a full account of the submissions received. Accordingly, readers wishing to understand the submissions are advised to refer to the full copy of the original submissions, available upon request or at <https://wellington.govt.nz/district-plan-change-82>

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|--|--|---|--------------------|
| 2 | Gordon Copeland on behalf of the Institute for World Evangelisation – International Catholic Programme of Evangelisation (ICPE Mission) (New Zealand Branch) | 64C Totara Road, Miramar, Wellington, NZ 6022 | Yes |
| Submission Relates to: | Alterations to Volume III – Maps: Proposed Zone Changes at 73 Hawker Street (St Gerard's) and 52 McFarlane Street | | |
| Support/Oppose: | Support | | |
| Submission | | | |
| This submission relates to | | | |
| 2.1. The submitter supports the land exchange to secure WCC ownership of an existing path to provide access to the reserve because: | | | |
| <ul style="list-style-type: none">The exchange will benefit Wellington as it would give ownership of the access pathway to the CouncilIt will assist St Gerard's in funding the earthquake strengthening of both the Church and Monastery (both of which are yellow sticker-ed) | | | |
| Decision Requested | | | |
| The submitter seeks the following decision from Council: | | | |
| <ol style="list-style-type: none">Approval of the Plan Change as submitted.That the Reserve Exchange Agreement and Grant of Easement between the WCC and the ICPE, already agreed between the Parties, be advanced. | | | |

Disclaimer: This document provides a summary of the decisions requested by persons making submissions on Wellington City Council's Proposed District Plan Seven zone changes and two associated text changes to the Wellington District Plan. Whilst every possible care has been taken to provide a true and accurate summary, the information contained in this document is not required by the Resource Management Act 1991 to provide a full account of the submissions received. Accordingly, readers wishing to understand the submissions are advised to refer to the full copy of the original submissions, available upon request or at <https://wellington.govt.nz/district-plan-change-82>

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|--|--|--|--------------------|
| 3 | Brian Sheppard on behalf Churton Park Community Association | 57 Erlestoke Crescent, Churton Park, Wellington, NZ | No |
| Submission Relates to: | Alterations to Volume III – Maps: Proposed Zone Changes at 7C Melksham Drive, Churton Park | | |
| Support/Oppose: | Support | | |
| Submission | | | |
| 3.1. The submitter states that the Churton Park Community Association supports the proposed rezoning of 7C Melksham Drive, Churton Park. | | | |
| Decision Requested | | | |
| The submitter seeks the following decision from Council: Confirm the proposed rezoning of 7C Melksham Drive from 'Outer Residential' to 'Open Space A'. | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|--|--|--|--------------------|
| 4 | Jacqueline Anstead | 1/8 Campbell Street, Karori, Wellington, NZ 6012 | No |
| Submission Relates to: | Alterations to Volume III – Maps: Proposed Zone Changes at 6 Campbell Street, Karori | | |
| Support/Oppose: | Oppose | | |
| Submission | | | |
| <p>4.1. The submitter opposes the proposed rezoning of 6 Campbell Street, Karori for the following reasons:</p> <ul style="list-style-type: none">• Safety factors in the street, it should be kept as residential• Noise concerns and the close placement to 1/8 Campbell Street, which does not currently have noise problems from retail | | | |
| Decision Requested | | | |
| The submitter seeks the following decision from Council: To not change the zone for No 6 Campbell to non-residential | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|--|---|---|--------------------|
| 5 | Neil Pryor on behalf of Flagstaff Hill Area Resident's Association | 241A The Terrace, Te Aro, Wellington, NZ 6011 | Yes |
| Submission Relates to: | Alterations to Volume III – Maps: Proposed Zone Changes at 16 Terrace Gardens (Flagstaff Hill Park), Te Aro | | |
| Support/Oppose: | Support | | |
| Submission | | | |
| <p>5.1. The submitter supports the proposed rezoning of 16 Terrace Gardens (Flagstaff Hill Park) because:</p> <ul style="list-style-type: none">• The change of zoning will clarify its status as a public park which Council has maintained since 1972 and purchased in 2015• The change of zoning will encourage future development and promotion to assist greater utilisation of the park | | | |
| Decision Requested | | | |
| The submitter seeks the following decision from Council: That the proposed change in zoning of 16 Terrace Gardens (Flagstaff Hill Park) from Inner City Residential to Open Space A be approved. | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|---|--|---------------------------------|--------------------|
| 6 | Lesleigh Ann Salinger | PO Box 563, Wellington, NZ 6140 | Yes |
| Submission Relates to: | Alterations to Volume III – Maps: Proposed Zone Changes at 6 Campbell Street, Karori Alterations to Volume III – Maps: Proposed Amendments to Planning Map 48 (Secondary Frontages) | | |
| Support/Oppose: | Support | | |
| Submission | | | |
| <p>6.1. The submitter supports the proposed rezoning of 6 Campbell Street, Karori and the associated map amendment to Map 48 because:</p> <ul style="list-style-type: none">• The zone change is a logical extension to the Centres zoning to the properties to the north and west• The rezoning will provide a greater opportunity for a new mixed-use development• The rezoning would enable the undeveloped (former) St John's Church site to the north and this property to become one• The present house is derelict and due for demolition to allow for a decent sized development opportunity• The Karori Town Centre is shabby, under resourced, with an ailing commercial heart and this extended site would provide commercial opportunity• The extra land provides alternative access to the new Events Centre• The immediate neighbours will not be seriously affected and the area can be adequately protected by the District Plan provisions including Centres Standards, Centres Design Guide, and resource consent requirements for new buildings. | | | |
| Decision Requested | | | |
| The submitter seeks the following decision from Council: That Council endorse the proposed District Plan change for 6 Campbell Street. | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard | | | | | | | | | | |
|--|--|--|--------------------|-------------------|--|------------------|--|--------------------|---|-----------|---|-------------------|--|
| 7 | Sam Butts | 7 Campbell Street, Karori, Wellington, NZ 6011 | No | | | | | | | | | | |
| Submission Relates to: | Alterations to Volume III – Maps: Proposed Zone Changes at 6 Campbell Street, Karori Alterations to Volume III – Maps: Proposed Amendments to Planning Map 48 (Secondary Frontages) | | | | | | | | | | | | |
| Support/Oppose: | Oppose in part | | | | | | | | | | | | |
| Submission | | | | | | | | | | | | | |
| <p>7.1. The submitter opposes the proposed rezoning of 6 Campbell Street, Karori and the associated map amendment to Map 48 for the following reasons:</p> <table border="1"> <tbody> <tr> <td>• Noise and Light</td> <td>Increased noise levels resulting from increased human and vehicle traffic and unwanted light will have an impact, particularly when young children are sleeping during the day and the evening</td> </tr> <tr> <td>• Traffic Access</td> <td>Concern relating to traffic entry to and departure from the site, particularly in relation to the safety of pedestrians on the surrounding footpaths</td> </tr> <tr> <td>• Traffic Movement</td> <td>The location of a commercial site in a residential zone will significantly increase the number of traffic movements</td> </tr> <tr> <td>• Privacy</td> <td>The privacy of residents in the surrounding houses would be impacted by a large and tall building</td> </tr> <tr> <td>• Building Design</td> <td>The height and design of a large commercial building would have an impact in a residential area. It is important that the design of the building is sympathetic to residential buildings in Campbell Street.</td> </tr> </tbody> </table> <ul style="list-style-type: none"> • These changes would adversely affect the submitter's family and their ability to enjoy their existing quality of life. | | | | • Noise and Light | Increased noise levels resulting from increased human and vehicle traffic and unwanted light will have an impact, particularly when young children are sleeping during the day and the evening | • Traffic Access | Concern relating to traffic entry to and departure from the site, particularly in relation to the safety of pedestrians on the surrounding footpaths | • Traffic Movement | The location of a commercial site in a residential zone will significantly increase the number of traffic movements | • Privacy | The privacy of residents in the surrounding houses would be impacted by a large and tall building | • Building Design | The height and design of a large commercial building would have an impact in a residential area. It is important that the design of the building is sympathetic to residential buildings in Campbell Street. |
| • Noise and Light | Increased noise levels resulting from increased human and vehicle traffic and unwanted light will have an impact, particularly when young children are sleeping during the day and the evening | | | | | | | | | | | | |
| • Traffic Access | Concern relating to traffic entry to and departure from the site, particularly in relation to the safety of pedestrians on the surrounding footpaths | | | | | | | | | | | | |
| • Traffic Movement | The location of a commercial site in a residential zone will significantly increase the number of traffic movements | | | | | | | | | | | | |
| • Privacy | The privacy of residents in the surrounding houses would be impacted by a large and tall building | | | | | | | | | | | | |
| • Building Design | The height and design of a large commercial building would have an impact in a residential area. It is important that the design of the building is sympathetic to residential buildings in Campbell Street. | | | | | | | | | | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|--|-----------|--|--------------------|
| 7 | Sam Butts | 7 Campbell Street, Karori, Wellington, NZ 6011 | No |
| Decision Requested | | | |
| <p>The submitter seeks the following decisions from Council:</p> <p>That the specific provisions be rejected, and the issues outlined in their submission be mitigated as follows:</p> <ol style="list-style-type: none">1) Using the land in 6 Campbell Street as a buffer between the residential area and the new commercial building. Plants and/or a park on this land could work as such a buffer.2) Ensuring the new building is sympathetic in its design to the residential houses which surround it.3) Ensuring the new building is sympathetic in its scale to the residential houses which surround it.4) Ensuring the new building is designed in a way which maintains the privacy of the residents in the surrounding houses.5) Minimising the increase in traffic in Campbell Street by having both the entry and exit for vehicles on Karori Road. <p>Alternatively, there could be separate entry and exit points by having one on Karori Road and the other on Campbell Street.</p> | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|---|--|---|--------------------|
| 8 | Frankie Rouse | 15 Trinidad Crescent, Grenada Village, Wellington, NZ | No |
| Submission Relates to: | Alterations to Volume III – Maps: Proposed Zone Changes at 2A Myrtle Crescent, Mt Cook | | |
| Support/Oppose: | Support | | |
| Submission | | | |
| <p>8.1. The submitter supports the proposed rezoning of 2A Myrtle Crescent, Mt Cook as:</p> <ul style="list-style-type: none">The mixed zoning is an historical anomaly and the submitter would like this to be amended so the entire property is zoned Centre | | | |
| Decision Requested | | | |
| <p>The submitter seeks the following decision from Council:</p> <ul style="list-style-type: none">Approve the District Plan Change 82 for 2A Myrtle Crescent, Mt Cook to correct this anomaly. | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|--|---|-----------------------------------|--------------------|
| 9 | Angela Rothwell on behalf of Mt. Victoria Resident's Association | PO Box 19056, Wellington, NZ 6149 | Yes |
| Submission Relates to: | Alterations to Volume I – Amendments to Chapter 4 Residential Policies and Chapter 5 Residential Rule 5.3.5 Alterations to Volume III – Maps: Proposed Zone Changes at 73 Hawker Street (St Gerards) and 52 McFarlane Street | | |
| Support/Oppose: | Support with amendment | | |
| Submission | | | |
| <p>9.1. The submitter supports the proposed rezoning of 73 Hawker Street and 52 McFarlane Street in part, and requests the following matters be included in the plan change:</p> <ul style="list-style-type: none"> • The establishment of a viewshaft from the beach at Oriental Bay to the north façade of St Gerard's Monastery. • Limitations on any new or renovated building at 1 Oriental Terrace regarding height and site coverage • A requirement that officials publicly notify any application that seeks to increase District Plan allowances rather than leave it to official's discretion. <p>9.2. The submitter noted their concern about the future ownership of the existing carparks outside the entrance to St Gerard's Monastery and their view that some carparks are an encroachment on airspace above public road reserve and should not be able to be sold as a permanent property right.</p> <p>9.3. The submitter also points out an anomaly whereby the map for the Mt Victoria North Character Area Guide includes Oriental Terrace and environs, but the map in Appendix 2 of the Residential Design Guide does not. Both guides include guidelines for the Mt Victoria North/St Gerard's area. The submitter requests that the map in Appendix 2 of the Residential Design Guide be amended to include Oriental Terrace and environs so it is consistent with the map in the Mt Victoria North Character Area Guide. This would ensure more of the pre-1930s character features of the houses in Oriental Terrace area are protected as a heritage backdrop to Oriental Bay.</p> <p>9.4. The submitter supports the proposed alterations to Policy 4.2.2.1 and Residential Rule 5.35</p> | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|--|--|-----------------------------------|--------------------|
| 9 | Angela Rothwell on behalf of Mt. Victoria Resident's Association | PO Box 19056, Wellington, NZ 6149 | Yes |
| Decision Requested | | | |
| <p>The submitter supports the proposed zone change for this area, with the following amendments:</p> <ol style="list-style-type: none">1. That a viewshaft to protect the unique vista from Oriental Bay beach to the north façade of the Monastery, be added to the District Plan. This will ensure the north façade is unobstructed, and serve to underpin the built character of the entire hillside. This would also align with the Central Area provisions which protect viewshafts of the city-facing façade.2. Confine the dimensions of any renovated or new building at 1 Oriental Terrace to permitted limits on height and site coverage. A requirement that officials publicly notify any application that seeks to increase District Plan allowances rather than leave it to officials' discretion. For example, where the new owner or developer apply to council officials to exercise their discretion under section 5.6.2.5 of the District Plan to allow a 20% increase in height from 10m to 12m. <p>That carparks that are an encroachment on airspace above public road reserve should not be able to be sold as a permanent property right.</p> <p>That the Thorndon Character Area Design Guide and the Mt Victoria North Character Area Design Guide be added to the wording of this policy and rule.</p> <p>That the map in Appendix 2 of the Residential Design Guide be amended to include Oriental Terrace and environs so it is consistent with the map in the Mt Victoria North Character Area Guide.</p> | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|---|---|--|--------------------|
| 10 | Joanna Newman on behalf of the Mt. Victoria Historical Society Inc. | C/o 20 Porritt Avenue, Mt Victoria, Wellington, NZ 6011 | No |
| Submission Relates to: | Alterations to Volume I – Amendments to Chapter 4 Residential Policies and Chapter 5 Residential Rule 5.3.5 Alterations to Volume III – Maps: Proposed Zone Changes at 73 Hawker Street (St Gerards) and 52 McFarlane Street | | |
| Support/Oppose: | Support | | |
| Submission | | | |
| 10.1. The submitter supports the land swap and the proposed text changes. | | | |
| Decision Requested | | | |
| Not stated | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|---|--|--|--------------------|
| 11 | Keith Woolley | 9 Campbell Street, Karori, Wellington, NZ 6012 | No |
| Submission Relates to: | Alterations to Volume III – Maps: Proposed Zone Changes at 6 Campbell Street, Karori | | |
| Support/Oppose: | Support with amendment | | |
| Submission | | | |
| <p>11.1. The submitter has concerns about the proposed rezoning of 6 Campbell Street, Karori which include:</p> <ul style="list-style-type: none"> • Sunlight availability and privacy to neighbours as a result of a building several floors high • Visual impact of structure should be sympathetic and similar to the residential houses in the area The allowable size and visual impact of the building may be strikingly different and out of keeping to the residential houses in the surrounding area. The Council has an ideal opportunity to put in place a building or buildings that visually fit well with residential houses in the surrounding area. • Ongoing noise – noise should be controlled to residential noise levels or less by way of time of day, vehicle type and number of vehicles. Some “Centres area” land use can have unloading and loading from vehicles small and large trucks that occurs at unfriendly times of the day. | | | |
| Decision Requested | | | |
| <p>That the provisions be amended so that:</p> <ol style="list-style-type: none"> 1. Sunlight availability to neighbours is not detrimentally affected. 2. Neighbours privacy is not affected by a building several floors high. 3. Visual impact of the structure is sympathetic and similar to the residential houses in the area. 4. Noise is controlled to residential noise levels or less and to suit that of a residential area by way of time of day, vehicle type and number of vehicles | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|--|--|--|--------------------|
| 12 | Heather Sinclair on behalf of the Karori Association | C/- Secretary of Karori Association, PO Box 563, Wellington, NZ 6140 | No |
| Submission Relates to: | Alterations to Volume III – Maps: Proposed Zone Changes at 6 Campbell Street, Karori Alterations to Volume III – Maps: Proposed Amendments to Planning Map 48 (Secondary Frontages) | | |
| Support/Oppose: | Support | | |
| Submission | | | |
| <p>12.1. The submitter supports the proposed rezoning of 6 Campbell Street, Karori and the associated map amendment to Map 48 because:</p> <ul style="list-style-type: none"> The proposed zone change is a logical extension of the Centres zoning of the properties to the north and west Together with the undeveloped (former) St John's Church site to the north, the proposed change would enhance the opportunity for a new mixed use development and would enable the two sites to be developed in an integrated manner. Such a development is needed to revitalize the suburb's commercial heart The submitter feels the amenity of neighbouring residential properties will be adequately protected by the District Plan provisions including the Centres Standards, Centres Design Guide, and consent requirements for new buildings. | | | |
| Decision Requested | | | |
| <p>The submitter seeks the following decision from Council: That Council endorse the proposed District Plan change for 6 Campbell Street.</p> | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|--|--|---|--------------------|
| 13 | Marian Evans | 8 Oriental Terrace, Wellington, NZ 6011 | Yes |
| Submission Relates to: | Alterations to Volume I – Amendments to Chapter 4 Residential Policies and Chapter 5 Residential Rule 5.3.5 Alterations to Volume III – Maps: Proposed Zone Changes at 73 Hawker Street (St Gerard’s) and 52 McFarlane Street | | |
| Support/Oppose: | Oppose | | |
| Submission | | | |
| <p>13.1. The submitter opposes the proposed rezoning of 73 Hawker Street and 52 McFarlane Street:</p> <ul style="list-style-type: none"> • The submitter’s submission argues that the environment will be adversely affected by this rezoning for the following reasons: <ul style="list-style-type: none"> ○ Rezoning would further legitimise a series of council errors and omissions made in relation to this land; ○ Rezoning would contravene WCC’s Heritage Policy; ○ Flawed Consultation Process: Misrepresentation of the change in the WCC letters to owners; <ul style="list-style-type: none"> ▪ Concerned that the wording of the covering letter that was sent to neighbours, misrepresents the proposed zone change because the first paragraph of the letter only refers to the rezoning of the St Gerard’s site (i.e. 73 Hawker Street) and omits reference to ‘part of the adjoining reserve at 52 McFarlane Street (part of Lot 1 DP 76510, CFR WN42D/683) from Open Space B to Inner Residential.’ Property owners have not been given a genuine opportunity to engage with this consultation and that invalidates the consultation. ○ The rezoning of the ‘part of the adjoining reserve’ is problematic for the owners and their environment as future development will comprise a key viewshaft, place a covenanted pohutukawa at risk, make possible an intrusive development within a small and beloved green heritage area, and expose increased risks from environmental hazards | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Summary of Decisions Requested by Submitters

| DPC 82 Submission No. | Name | Address for Service | Wishes to be heard |
|---|--------------|---|--------------------|
| 13 | Marian Evans | 8 Oriental Terrace, Wellington, NZ 6011 | Yes |
| <ul style="list-style-type: none">○ Negative Effects of Rezoning part of Lot 1 DP 76510, CFR WN42D/683 ('the strip') from Open Space B to Inner Residential;<ul style="list-style-type: none">▪ The strip of land is in a unique position and the loss of this reserve land would extinguish the visual link between the green of St Gerard's Park and the green zigzag and place the covenanted pohutukawa tree on the path at risk from building on or closely adjacent to the strip.▪ St Gerard's intention to combine the strip with the adjoining lot (1 Oriental Terrace) would provide potential for a larger development which would result in a loss of the Oriental Terrace area's visual and historical integrity, further exacerbating the effects of excluding the area from the pre-1930s demolition rule.▪ Risk of destabilisation of vulnerable adjacent land, through earthworks associated with any new development especially as a result of extreme weather events, local landslips, increased earthquake activity. | | | |
| Decision Requested | | | |
| <p>The submitter seeks the following decisions from the Council:</p> <ol style="list-style-type: none">1. Re-advertise this rezoning proposal in a way that is fair and fully transparent.2. If the proposal is not re-advertised transparently, a decision not to allow the rezonings relevant to this submission. | | | |

PROPOSED DISTRICT PLAN CHANGE 82

Original Submissions – Summary of Submission Themes

Submission Period: 11 December 2017 – 9 February 2018

Alterations to Volume I – Text Changes

Amend Chapter 4 Residential Policies - Method and Explanation for Policy 4.2.2.1 +
Amend Chapter 5 Residential Rule – 5.3.5 – Side note and non-notification clause

| | | |
|--|---|--------------------------|
| Total Number of Submissions | 2 | |
| Number of Submissions Support | 2 | Sub. No. 1 Sub. No. 9 |
| Number of Submissions Opposed | 0 | |
| Number of Submitter Who Wish to be heard | 1 | Sub. No. 9 |

Alterations to Volume III – Zone Changes + Secondary Frontages

142 Tauhinu Road, Miramar

| | | |
|-----------------------------|-----------------------------------|--|
| Proposed Rezoning | Open Space B to Outer Residential | |
| Total Number of Submissions | 0 | |

16 Terrace Gardens (Flagstaff Hill Park), Te Aro

| | | |
|--|-----------------------------------|------------|
| Proposed Rezoning | Inner Residential to Open Space A | |
| Total Number of Submissions | 1 | |
| Number of Submissions Support | 1 | Sub. No. 5 |
| Number of Submissions Opposed | 0 | |
| Number of Submitter Who Wish to be heard | 1 | Sub. No. 5 |

7C Melksham Drive, Churton Park

| | | |
|--|-----------------------------------|------------|
| Proposed Rezoning | Outer Residential to Open Space A | |
| Total Number of Submissions | 1 | |
| Number of Submissions Support | 1 | Sub. No. 3 |
| Number of Submissions Opposed | 0 | |
| Number of Submitter Who Wish to be heard | 0 | |

43 Peppertree Lane, Woodridge

| | | |
|---|-----------------------------------|--|
| Proposed Rezoning – 43 Peppertree Lane, Woodridge [portion] | Outer Residential to Open Space B | |
| Proposed Rezoning – Council Reserve [portion] | Open Space B to Outer Residential | |
| Total Number of Submissions | 0 | |

73 Hawker Street and 52 McFarlane Street

| | | |
|---|-----------------------------------|--|
| Proposed Rezoning – 73 Hawker Street (St Gerard's) [portion] | Inner Residential to Open Space B | |
| Proposed Rezoning – 52 McFarlane Street (Council Reserve) [portion] | Open Space B to Inner Residential | |
| Total Number of Submissions | 5 | |
| Number of Submissions Support or Support with amendment | 4 | Sub. No. 1 Sub. No. 2 Sub. No. 9 Sub. No.10 |
| Number of Submissions Opposed | 1 | Sub. No. 13 |
| Number of Submitter Who Wish to be heard | 3 | Sub. No. 2 Sub. No. 9 Sub. No. 13 |

6 Campbell Street, Karori

| | | |
|---|-----------------------------|--|
| Proposed Rezoning | Outer Residential to Centre | |
| Total Number of Submissions | 5 | |
| Number of Submissions Support or Support with amendment | 3 | Sub. No. 6 Sub. No. 11 Sub. No. 12 |
| Number of Submissions Opposed or Opposed in part | 2 | Sub. No. 4 Sub. No. 7 |
| Number of Submitter Who Wish to be heard | 1 | Sub. No. 6 |

2A Myrtle Crescent, Mt Cook

| | | |
|--|-----------------------------|------------|
| Proposed Rezoning | Inner Residential to Centre | |
| Total Number of Submissions | 1 | |
| Number of Submissions Support | 1 | Sub. No. 8 |
| Number of Submissions Opposed | 0 | |
| Number of Submitter Who Wish to be heard | 0 | |

Amend Planning Map 48 – Secondary Frontages – 6 Campbell Street, Karori

| | | |
|--|---|---------------------------|
| Total Number of Submissions | 3 | |
| Number of Submissions Support | 2 | Sub. No. 6 Sub. No. 12 |
| Number of Submissions Opposed | 1 | Sub. No. 7 |
| Number of Submitter Who Wish to be heard | 1 | Sub. No. 6 |

13 Total Submissions Received
5 out of 13 Submitters wish to be heard

PROPOSED DISTRICT PLAN CHANGE 82

Original Submitters – Addresses for Service

| Sub. No. | Submitter | Submitter Address for Service | Support/Oppose |
|----------|--|---|------------------------|
| 1 | Heritage New Zealand | PO Box 2629, Wellington 6140 | Support |
| 2 | Institute for World Evangelisation – International Catholic Programme of Evangelisation (ICPE Mission) (NZ Branch) - Gordon Copeland | 64C Totara Road, Miramar, Wellington 6022 | Support |
| 3 | Churton Park Community Association - Brian Sheppard | 57 Erlestoke Crescent, Churton Park, Wellington | Support |
| 4 | Jacqueline Anstead | 1/8 Campbell Street, Karori, Wellington 6012 | Oppose |
| 5 | Flagstaff Hill Area Resident's Association – Neil Pryor | 241A The Terrace, Te Aro, Wellington 6011 | Support |
| 6 | Lesleigh Ann Salinger | PO Box 563, Wellington 6140 | Support |
| 7 | Sam Butts | 7 Campbell Street, Karori, Wellington, 6012 | Oppose in part |
| 8 | Frankie Rouse | 15 Trinidad Crescent, Grenada Village, Wellington | Support |
| 9 | Mt Victoria Residential Association – Angela Rothwell | PO Box 19056, Wellington 6149 | Support with amendment |
| 10 | Mt Victoria Historical Society – Joanna Newman | C/o 20 Porritt Avenue. Mt Victoria, Wellington 6011 | Support |
| 11 | Keith Woolley | 9 Campbell Street, Karori, Wellington 6012 | Support with amendment |
| 12 | Karori Association – Heather Sinclair | PO Box 563, Wellington, 6140 | Support |
| 13 | Marian Evans | 8 Oriental Terrace, Wellington 6011 | Oppose |

Appendix 3. St Gerard's plan change – relevant objectives and policies of the District Plan

Residential Areas – relevant objectives and policies

Objective 4.2.1 *To enhance the City's natural containment, accessibility and residential amenity by promoting the efficient use and development of natural and physical resources in Residential Areas.*

Policy 4.2.1.1 *Encourage consolidation of the established urban area.*

Policy 4.2.1.5 *Enable residential intensification within the Inner and Outer Residential Areas provided that it does not detract from the character and amenity of the neighbourhood in which it is located.*

Objective 4.2.2 *To recognise and enhance those characteristics, features and areas of the Residential Area that contribute positively to the City's distinctive physical character and sense of place.*

Policy 4.2.2.1 *Maintain the character of Wellington's inner city suburbs.*

Objective 4.2.3 *Ensure that new development within Residential Areas is of a character and scale that is appropriate for the area and neighbourhood in which it is located.*

Policy 4.2.3.1 *Ensure that new developments in the Inner and Outer Residential Areas acknowledge and respect the character of the area in which they are located.*

Objective 4.2.4 *Ensure that all residential properties have access to reasonable levels of residential amenity.*

Policy 4.2.4.1 *Manage adverse effects on residential amenity values by ensuring that the siting, scale and intensity of new residential development is compatible with surrounding development patterns.*

Objective 4.2.7 *To facilitate a range of activities within Residential Areas provided that adverse effects are suitably avoided, remedied or mitigated, and amenity values are maintained or enhanced.*

Policy 4.2.7.1 *Control the potential adverse effects of residential activities.*

Policy 4.2.7.2 *Control adverse noise effects within Residential Areas.*

Policy 4.2.7.3 *Provide for a range of non-residential activities within Residential Areas, provided character and amenity standards are maintained, and any adverse effects are appropriately avoided, remedied, or mitigated.*

Open Space Areas – relevant objectives and policies

Introduction

Open Space B (Natural Environment)

Open Space B land is valued for its natural character and informal open spaces. It involves areas that are used for types of recreation that, in the broadest sense, do not involve buildings or structures. The

intention is to keep such areas in an unbuilt or natural state. This type of open space encompasses both formal and informal open space elements. It includes walkways, scenic areas and open grassed areas where buildings are inappropriate. Its characteristics are minimal structures, largely undeveloped areas and open expanses of land. Most Open Space B areas are vegetated and often have ecological values or may buffer Conservation Sites.

Objective 16.5.1 To maintain, protect and enhance the open spaces of Wellington City.

Policy 16.5.1.1 Identify a range of open spaces and maintain their character, purpose and function, while enhancing their accessibility and usability.

Objective 16.5.2 To maintain and enhance natural features (including landscapes and ecosystems) that contribute to Wellington's natural environment.

Policy 16.5.2.1 Identify and protect from development and visual obstruction landforms and landscape elements that are significant in the context of the Wellington landscape, and in particular significant escarpments and coastal cliffs.

Policy 16.5.2.3 Encourage retention of existing native vegetation and where appropriate re-introduce native cover.

Appendix 4. Summary of District Plan provisions – Inner Residential Area

Inner Residential Area provisions – Oriental Terrace, Mt Victoria

| Standards and rules | Inner Residential Area |
|---|---|
| Vehicle parking | <ul style="list-style-type: none"> - One parking space per household unit - Conversion of an existing building into 2 household units without the provision of an additional on-site parking space is permitted |
| Non-compliance with parking requirements | Resource consent required under Rule 5.3.1 as a Discretionary Activity – effect on neighbouring amenities is a relevant consideration. |
| Maximum building height | 10m |
| Site coverage | 50% (plus 5% uncovered deck) |
| Building recession plane (BRP) | <p>All buildings and structures (including fences and walls) to be contained within an envelope rising 2.5m from ground level at all boundaries and then inclining inwards at:</p> <ul style="list-style-type: none"> - 71° from the northern boundary - 56° on the western boundary - 63° from the eastern boundary - 45° on the southern boundary <p>The top third of a gable can infringe the BRPs by up to 1m</p> |
| Yards/Privacy | <ul style="list-style-type: none"> - 1m front yard - A 1m minimum width outdoor access to any open space to the rear of a building - A 1m minimum width between buildings where a residential building on adjoining site is less than 1m from the boundary - Decks and terraces with a surface level of 1.5m above ground level at the boundary shall be no closer than 2m from any side or rear boundary |
| Open space | - 35m ² (minimum dimension 3m) |
| Maximum fence height | - 2m within 1m of any side or rear boundary, on a street frontage or in a front yard, measured from ground level at the boundary |
| Non-compliance with the above standards for buildings and structures | Resource consent required under Rule 5.3.4 as a Discretionary Activity – effect on neighbouring amenities is a relevant consideration (except for open space breaches) |
| Construction, alteration of, and addition to buildings and structures in the Mt Victoria North Character Area | Resource consent required under Rule 5.3.5 as a Discretionary Activity (Restricted) – subject to officer assessment against the design guide for the Mt Victoria North Character Area. Effects on neighbouring amenities are not a relevant consideration except when resource consent is also |

Section 42A Officer's Report: DPC 82 – Seven zone changes and associated changes to maps and text of the Wellington City District Plan

| | |
|---|---|
| | required for other reasons, such as Rule 5.3.4 or 5.3.1. |
| Demolition of pre-1930's buildings and structures | Permitted |
| Earthworks | Chapter 30 sets out various limits regarding the area and height/depth of any cut or fill. Resource consents required for breaches. |

Appendix 5. Notification letter to Oriental Terrace neighbours

6 December 2017

Dear Sir or Madam,

District Plan Change 82 – Rezoning of (52 Mcfarlane Street/73 Hawker Street, Mt Victoria)

As part of the regular maintenance of the Wellington City District Plan we are currently undertaking Plan Change 82 which seeks to make minor amendments to the District Plan text and maps. As part of this, it is proposed to rezone a portion of 73 Hawker Street from Inner Residential to Open Space B in order to facilitate a proposed land exchange.

We wish to draw your attention to this change as Owner of a nearby property. The attached map shows the area proposed to be rezoned.

Plan Change 82 includes six other unrelated zone changes and two associated text amendments. A summary of the Plan Change and public notice is attached for your information. A full copy of the Plan Change and supporting information is available on Council's website <https://wellington.govt.nz/have-your-say/public-notice>.

The process for undertaking a Plan Change is determined by the Resource Management Act 1991 and includes assessing whether the proposed change is the most appropriate option. The Plan Change process also provides an opportunity for the public to submit in support of or opposition to the proposal. Plan Change 82 will be publicly notified in the Dominion Post on Monday 11 December 2017 and will be open for submissions until Friday 9 February 2018. A submission form is attached, but you may also like to consider using the online submission form provided on the Council website. If there are any submissions, submitters will be given the option to speak at a hearing. After consideration of all submissions, the hearing committee will make a recommendation to Council, which Councillors will vote to either adopt or decline. If adopted, submitters have 30 working days to lodge an appeal with the Environment Court if they disagree with the outcome.

For further information about the Plan Change and submission processes, visit the Ministry for the Environment website - www.mfe.govt.nz. If you have any questions or would like a copy of the relevant documents, please feel free to contact me on the details below.

Yours sincerely



Jillian Kennemore
Senior Advisor District Plan
Ph: (04) 803 8689
Email: jillian.kennemore@wcc.govt.nz

Attachments:

- Zone Change Map
- Plan Change Summary
- Full Public Notice
- Submission Form

Appendix 6. 6 Campbell Street plan change – relevant objectives and policies of the District Plan

Residential Areas – relevant objectives and policies

Objective 4.2.1 *To enhance the City's natural containment, accessibility and residential amenity by promoting the efficient use and development of natural and physical resources in Residential Areas.*

Policy 4.2.1.1 *Encourage consolidation of the established urban area.*

Policy 4.2.1.5 *Enable residential intensification within the Inner and Outer Residential Areas provided that it does not detract from the character and amenity of the neighbourhood in which it is located.*

Objective 4.2.3 *Ensure that new development within Residential Areas is of a character and scale that is appropriate for the area and neighbourhood in which it is located.*

Policy 4.2.3.1 *Ensure that new developments in the Inner and Outer Residential Areas acknowledge and respect the character of the area in which they are located.*

Objective 4.2.4 *Ensure that all residential properties have access to reasonable levels of residential amenity.*

Policy 4.2.4.1 *Manage adverse effects on residential amenity values by ensuring that the siting, scale and intensity of new residential development is compatible with surrounding development patterns.*

Objective 4.2.7 *To facilitate a range of activities within Residential Areas provided that adverse effects are suitably avoided, remedied or mitigated, and amenity values are maintained or enhanced.*

Policy 4.2.7.1 *Control the potential adverse effects of residential activities.*

Policy 4.2.7.2 *Control adverse noise effects within Residential Areas.*

Policy 4.2.7.3 *Provide for a range of non-residential activities within Residential Areas, provided character and amenity standards are maintained, and any adverse effects are appropriately avoided, remedied, or mitigated.*

Centres - relevant objectives and policies

Objective 6.2.1 *To provide a hierarchy of accessible and appropriately serviced Centres throughout the City that are capable of providing goods, services and facilities to meet the day to day needs of local communities, residents and businesses, and of accommodating anticipated population growth and associated development whilst maintaining Wellington's compact urban form.*

Policy 6.2.1.1 *Maintain an efficient and sustainable network distribution of centres, as identified below:*

...

Town Centres (including Karori)

Service one or more suburbs and generally have very good access by public transport and the roading network. They are anchored by a main traditional main street with high levels of pedestrian activity and contain at least one supermarket and a range of other convenience-based retail goods. Town Centres contain some civic and government services and have medium scale employment office, community, recreational and entertainment activities. Residential uses, generally above ground floor, can be found in Town Centres. Both off-street and on-street parking is generally available.

Policy 6.2.1.2 *Allow for the outward expansion of existing Centres when they are required to accommodate growth and where they:*

- are compatible with adjoining land uses; and*
- improve access to goods and services, reduce congestion on the road networks; and*
- are accessible by a variety of transport modes including public transport, walking and cycling; and*
- do not generate more than minor adverse effects on the roading network and the hierarchy of roads (Maps 33 and 34) from potential trip patterns, travel demand or vehicle use; and*
- make the best use of existing infrastructure.*

Objective 6.2.2 *To facilitate vibrant and viable Centres through enabling a wide range of appropriate activities to occur to meet the economic and social needs of the community, whilst avoiding, remedying or mitigating adverse effects.*

Policy 6.2.2.1 *Enable and facilitate a wide mix of activities within Centres provided that character and amenity standards are maintained and adverse effects are satisfactorily avoided, remedied or mitigated.*

Policy 6.2.2.4 *Control the adverse effects of noise within all Centres.*

Policy 6.2.2.5 *Ensure that appropriate on-site measures are taken to protect noise sensitive activities within Centres from intrusive noise effects of other permitted or existing activities.*

Policy 6.2.2.6 *Ensure that residential activities do not constrain the activities of established and permitted activities through reverse sensitivity to noise.*

Policy 6.2.2.8 *Ensure that activities creating effects of lighting, dust and the discharge of any contaminants are managed to avoid, remedy or mitigate adverse effects on other activities within Centres or in nearby Residential or Open Space Areas.*

Policy 6.2.2.9 *Avoid adverse effects from activities listed under the Third Schedule of the Health Act.*

Objective 6.2.3 *To ensure that activities and developments maintain and enhance the safety and amenity values of Centres and any adjoining or nearby Residential or Open Space Areas, and actively encourage characteristics, features and areas of Centres that contribute positively to the City's distinctive physical character and sense of place.*

Policy 6.2.3.1 *Ensure that buildings, structures and spaces are designed to:*

- *acknowledge, respect and reinforce the form and scale of the surrounding environment in which they are located; and*
 - *respect the context, setting and streetscape values of adjacent listed heritage items and Heritage Areas; and promote a strong sense of place and identity within Centres; and*
 - *establish positive visual effects; and provide good quality living and working environments; and integrate environmental sustainability principles; and*
 - *provide conditions of safety and accessibility, including for people with restricted mobility.*
- Policy 6.2.3.2 Encourage developments to create an attractive, comfortable and legible street environment including aspects such as shelter/ verandahs, lighting, street furniture and landscaping.*
- Policy 6.2.3.3 Maintain or enhance the street edge along identified primary and secondary street frontages.*
- Policy 6.2.3.4 Maintain or enhance the streetscape by controlling the appearance of and/or limiting the creation of vacant land, or open land and ground level parking areas on identified primary and secondary streets frontages.*
- Policy 6.2.3.6 Enable residential development in all Centres, where it:*
- *utilises upper floors of buildings; and*
 - *maintains an active ground-floor on any primary street frontages, (except for in Neighbourhood Centres other than the area zoned Neighbourhood Centre between 68-82 Aro Street); and*
 - *provides a secure and pleasant environment for the occupiers; and*
 - *in the Mt Cook Centre is located above the second floor (measured from street level) on streets with frontage to Adelaide Road or John Street and located above ground floor (measured above street level) on all other primary and secondary street frontages.*
- Policy 6.2.3.7 Enhance the quality and amenity of buildings incorporating a residential component by guiding their design to ensure current and future occupants have an adequate standard of amenity and access to daylight and an awareness of the outside environment.*
- Policy 6.2.3.8 Ensure an appropriate transition between activities and buildings within Centres and adjoining Residential and Open Space Areas.*
- Policy 6.2.3.9 Manage the height, bulk and location of buildings and developments so that they avoid, remedy or mitigate the adverse effects of shading, loss of daylight, privacy, scale and dominance and any other adverse effects on amenity values within Centres and on adjoining Residential and Open Space Areas.*
- Policy 6.2.3.13 Ensure that all spaces accessed by the public are safe and are designed to minimise the opportunities for crime.*
- Objective 6.2.5 *To maintain an efficient and sustainable transport network to enable the provision of convenient and safe access for people and goods to and within Centres.***
- Policy 6.2.5.3 Ensure that activities and developments that have the potential to generate significant levels of traffic incorporate design features and/or contribute to other*

activities so that traffic generation is minimised, and the use of public transport and active modes actively facilitated and encouraged.

- Policy 6.2.5.4 Ensure that the location and design of activities and developments that generate significant levels of traffic or provide high levels of on-site parking are accessible by multiple transport modes and do not result in:*
- a significant increase in traffic that would be incompatible with the capacity of adjoining roads and their function in the road hierarchy, or would lead to unacceptable congestion; or*
 - the creation of an unacceptable road safety risk.*

Policy 6.2.5.8 Require the provision of appropriate servicing and site access for activities in Centres.

Appendix 7. Summary of District Plan provisions – Outer Residential Area compared to Centres Area

| Standards and rules | Outer Residential Area requirements | Centres Area requirements |
|-------------------------------------|---|---|
| Maximum building height | 8m | 12m |
| Minimum building height | None | 7m along primary or secondary frontages |
| Site coverage | 35% (plus 5% uncovered deck) | 100% |
| Building recession plane | All buildings and structures (including fences and walls) to be contained within an envelope rising 2.5m from ground level at all boundaries and then inclining inwards at 45° | <ul style="list-style-type: none"> - The Outer Residential Area building recession plane applies on residential boundaries. - No building or structures shall be higher than 3m within 5m of a Residential Area boundary |
| Yards/Privacy | <ul style="list-style-type: none"> - 3m front yard (or 10m less half the wide of the road, whichever is the lesser) - a minimum 1m yard to any open space to the rear of the building - a minimum 1m yard from a building on an adjoining site - decks and terraces with a surface level of 1.5m above ground level at the boundary shall be no closer than 2m from any side or rear boundary | <ul style="list-style-type: none"> - Privacy glazing required for windows in walls of buildings above ground floor level located within 5m of and facing a Residential Area boundary - decks and terraces with a surface level of 1.5m above ground level at the boundary shall be no closer than 2m from any adjoining Residential Area boundary |
| Open space | <ul style="list-style-type: none"> - 50m² (minimum dimension 4m) | None |
| Maximum fence height | <ul style="list-style-type: none"> - 2m within 1m of any side or rear boundary | <ul style="list-style-type: none"> - 2m within 1m of any side or rear boundary |
| Vehicle parking | <ul style="list-style-type: none"> - One space per household unit | None |
| Vehicle Access/Serviceing | | <ul style="list-style-type: none"> - At least one loading space - No new vehicle access across a primary frontage |
| Lighting | No standard | 10 lux at windows of residential buildings in any Residential Areas – applies to lighting of outdoor areas |
| Screening of activities and storage | No standard | <ul style="list-style-type: none"> - 1.8m solid fence required for sites with yards that abut |

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| | | |
|-------------------------|-------------|---|
| | | a Residential Area |
| Dust | No standard | - Must not create dust nuisance |
| Active street frontages | No standard | - Non-residential activities required for entire ground floor along primary and secondary frontages - Additions and alterations below verandah level must not create a featureless façade more than 4m wide (between 1m-2.5m above ground level) on any wall that faces a public space |

Appendix 8. Environmental Noise Assessment

Site: 6 Campbell St – District Plan Re-Zoning Application

Report by: Ryan Cameron

Date: 21 March 2018

Introduction

The site at 6 Campbell St is proposed to undergo a plan change that would result in the site being zoned Centre. The current site zoning is Outer Residential. This report identifies the environmental noise factors associated with this change.



Site Location Map

Current Zoning

The site is currently zoned Outer Residential with regards to the Wellington City District Plan. It is bordered by one other outer residential zoned property (8 Campbell St) to the south, and centre zoned sites to the north and west. The site borders Campbell St, and further Outer Residential zoned properties to the east across the road.

With reference to the District Plan Residential Chapter, residential activities are currently permitted on the site, provided they comply with District Plan Standards 5.6.1. These standards include activity noise limits and fixed plant noise limits, re-produced below:

5.6.1.1 Noise

Noise (emitted from Residential Areas and received in Residential and Rural Areas)

5.6.1.1.1 *Noise emission levels from any non-residential activity occurring within a Residential Area, when measured at or within the boundary of any site, other than the site from which the noise is emitted in Residential and Rural Areas, must not exceed the following limits:*

| Outer Residential Area | |
|-------------------------------------|--------------------------|
| <i>Monday to Sunday 7am to 7pm</i> | <i>50dB LAeq (15min)</i> |
| <i>Monday to Sunday 7pm to 10pm</i> | <i>45dB LAeq (15min)</i> |
| <i>Monday to Sunday 10pm to 7am</i> | <i>40dB LAeq (15min)</i> |
| <i>Monday to Sunday 10pm to 7am</i> | <i>70dB LAFmax</i> |

5.6.1.2 Fixed Plant Noise

5.6.1.2.1 *Noise emission levels from any residential or non-residential activities occurring within a Residential Area resulting from noise associated with power generation, heating, ventilation or air conditioning systems, or water or sewage pumping/treatment systems or other similar domestic installations when measured at or within the boundary of any site, other than the site from which the noise is generated, in Residential and Rural Areas shall not exceed the following limits:*

| Outer Residential Area | |
|-------------------------------------|--------------------------|
| <i>Monday to Sunday 7am to 10pm</i> | <i>45dB LAeq (15min)</i> |
| <i>Monday to Sunday 10pm to 7am</i> | <i>40dB LAeq (15min)</i> |
| <i>Monday to Sunday 10pm to 7am</i> | <i>65dB LAFmax</i> |

From a noise perspective, the site as it is currently zoned may produce noise to the upper limits specified in the tables as a permitted activity i.e. no resource consent required. This is relevant when evaluating the environmental noise effects that the neighbouring Outer Residential sites could be exposed to due to activities at 6 Campbell St.

Centre Zoning and Effects on Centres

Re-zoning the site to Centre results in a different set of permitted noise levels, defined by the Centres Standards of the District Plan (7.6). The main difference when comparing to residential area limits is the noise emission levels from the site are permitted to be higher. However, this higher limit only applies for noise emitted in Centres and received in Centres.

7.6.1.1 Noise

Noise (emitted and received within Centres)

7.6.1.1.1 *Noise emission levels from activities in Centres when measured at or within the boundary of any site or at the outside wall of any building on any site, other than the site from which the noise is emitted in Centres shall not exceed the following limits:*

| | |
|--------------|-------------------|
| At all times | 60dB LAeq (15min) |
| At all times | 85dB LAFmax |

7.6.1.2 *Noise emission levels in Centres from fixed plant when measured at or within the boundary of any site or at the outside wall of any building on any site, other than the site from which the noise is emitted in Centres shall not exceed the following limits:*

| | |
|------------------------------|-------------------|
| At all times | 55dB LAeq (15min) |
| Monday to Sunday 10pm to 7am | 80dB LAFmax |

7.6.1.2.3 *Noise emission levels from fixed plant in Centres must comply with standard 7.6.1.1.5*

In terms of where the higher Centres limits will eventuate, only the immediately adjacent Centres sites could be exposed to these. The sites currently are occupied by vacant land to the north and a vehicle service station and the Karori events centre to the west. Neither of these sites includes residential use, and noise sensitive activities are not currently present on those sites. The increased noise emission levels that these surrounding sites may be exposed to are not inappropriate or unreasonable in this context.

Effects from Centres on Residential Areas

Where Centres sites boarder residential areas, the limits when measured at those boundaries are largely consistent with the limits applicable in residential zoning, as specified by Standard 7.6.1.1.5. This is an important point when considering the potential for changes in noise effects as a result of re-zoning 6 Campbell St to Centre. In essence, all other near-by Outer Residential zoned sites are protected by the District Plan noise provisions for residentially zoned sites.

There is a slight difference between the Lmax activity limits, with the Centres standard requiring a 5dBA lower limit. This is to the advantage of any receiver, in that night time limits aimed at preventing sleep disturbance are more stringent.

Noise (emitted within Centres received in other areas)

7.6.1.1.5 *Noise emission levels from activities in Centres when measured at or within the boundary of any site in Residential or Rural Areas shall not exceed the following limits:*

| Outer Residential Area | |
|-------------------------------|-------------------|
| Monday to Sunday 7am to 7pm | 50dB LAeq (15min) |
| Monday to Sunday 7pm to 10pm | 45dB LAeq (15min) |
| Monday to Sunday 10pm to 7am | 40dB LAeq (15min) |
| Monday to Sunday 10pm to 7am | 65dB LAFmax |

7.6.1.2 *Fixed Plant Noise*

7.6.1.2.3 *Noise emission levels from fixed plant in Centres must comply with standard 7.6.1.1.5*

Standard 7.6.1.1.5 shows that although Centres sites can emit higher activity noise levels to other Centres sites, the noise emission levels must also comply with the Outer Residential Limits at those boundaries. On this basis, there would be no change in the upper permitted limit of activity noise received in any of the near-by Outer Residential sites as a result 6 Campbell St being zoned Centre.

Fixed plant limits however do change marginally when compared to the existing Outer Residential fixed plant limits. The change is summarised as:

| Difference |
|--------------------------|
| 7am to 7pm – 5dBA higher |
| 7pm to 10pm – No change |
| 10pm to 7am – No Change |
| Lmax – No change |

At all times between 7pm to 7am, any fixed plant noise must comply with limits that are the same as if the emitter and receiver were both zoned Outer Residential.

For daytime, 7am to 7pm, the plan change would result in a 5dBA increase in the current limit for the site; however this is only applicable during those hours, and only applicable to fixed plant noise.

A 5dBA difference in a continuous sound level would be perceived as a noticeable difference to most listeners. For comparison, a 3dBA difference would be perceived as negligible to slight for most people, 7dBA a significant difference, and 10dBA an approximate doubling (or halving).

A fixed plant noise level of 50dBA (as permitted by standard 7.6.1.1.5) can be considered reasonable and unlikely to create any adverse community reaction, particularly when considering ambient noise levels at the site, discussed below.

Current Ambient Environment

Environmental noise surveys were undertaken in order to establish ambient noise levels present in the area. By determining the level and type of noise in the area, the effects of noise emission levels from the site can be put in a real context.

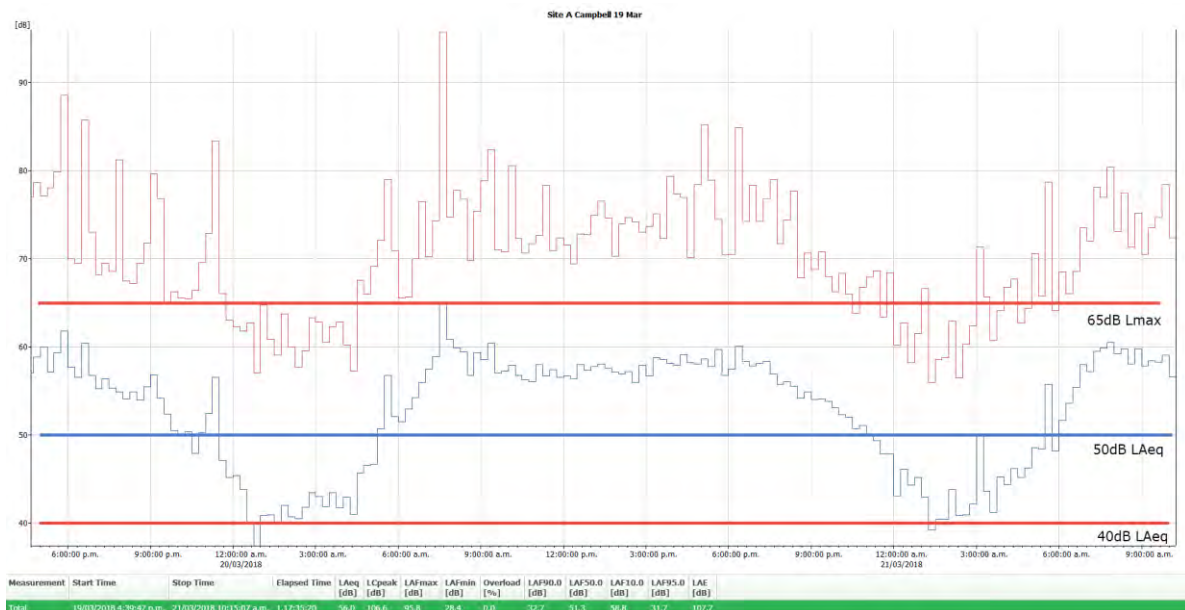
The noise surveys were undertaken at the locations indicated. Site B is representative of the ambient noise exposure experienced by 8 Campbell St. Site A is representative of the ambient noise exposure experienced by sites closer to Karori Rd e.g. 3 and 5 Campbell St.

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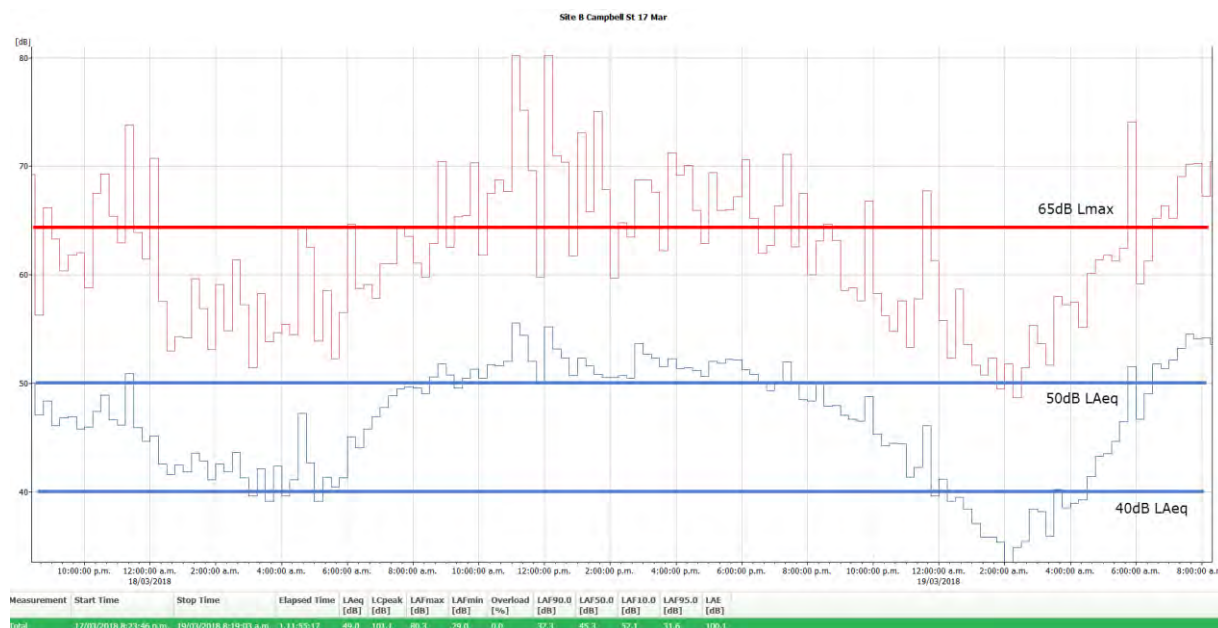
The dominant noise source found to be present for all monitoring was traffic noise from Karori Rd, and to a lesser extent traffic from Campbell St. The closer to Karori Rd observations were made, the more traffic noise dominated the measurements.

The monitoring results are presented below for each site. Overlaid on each are the District Plan noise limits that apply for noise emitted in Centres and received in Outer Residential areas.



Site A – Ambient Noise Survey

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Site B – Ambient Noise Survey

Key findings from these data sets are:

- In both locations, ambient noise is heavily dominated by traffic noise during the day.
- At night, ambient levels are relatively quiet. These levels are similarly governed by traffic noise.
- The night time District Plan limit of 40dBA LAeq (15min) is always exceeded by ambient noise at Site A, apart from one 15-min period on each night at around 1am.
- At Site B, ambient noise levels predominantly equalled or exceeded 40dBA on one night, but were 1-4dBA less between midnight and 5am.
- At Site A and B, daytime ambient noise levels (7am to 10pm) significantly exceeded the District Plan activity limit of 50dBA LAeq (15min).
- The red traces indicating the Lmax levels experienced at both sites demonstrate that events of 65dB Lmax or greater are experienced currently.

Summarising these conclusions, with the context of the District Plan noise limits:

- When considering the effect of a 5dBA increase in the fixed plant noise limits, applicable from (7am to 7pm) – the resultant level of 50dBA will not be easily discernible amongst other ambient noise dictated by traffic.
- Night time ambient noise currently experienced by 8 Campbell St in particular can exceed 40dBA for large portions of the night.
- Either activity noise or fixed plant noise emanating from 6 Campbell St, compliant with the relevant District Plan Standards will predominantly not be discernible above ambient noise levels in the area.

The New Zealand Standards for Environmental Noise

New Zealand Standard NZS6802:2008 is a nationally adopted standard that aids in defining acceptable levels for community noise. The District Plan requires that all environmental noise related definitions, limits and measurements are in accordance with NZS6801:2008 'Acoustics – Measurement of Environmental Sound' and NZS6802:2008 'Acoustics – Environmental Noise'.

Section 8.6 of this NZS6802:2008 provides limits for acceptable levels of community noise, which are also based on World Health Organisation Guidelines. These limits are stated to 'provide a reasonable level of protection of health and amenity associated with use of land for residential purposes'. The limits are:

| | |
|------------|-------------------|
| Daytime | 55dB LAeq (15min) |
| Evening | 50dB LAeq (15min) |
| Night time | 45dB LAeq (15min) |
| Night time | 75dB LAFmax |

Comparing these limits to those discussed in relation to the subject site, give assurance that a daytime level of 50dB LAeq (15min) is unlikely to ever give rise to adverse community reaction, and that health and amenity with regards to noise is protected adequately.

Summary

As a result of re-zoning the site at 6 Campbell St from Outer Residential to Centre, the environmental noise effects can be summarised as:

- For activity noise, District Plan standards 7.6.1.1.5 require that noise emission levels from Centres, received at Outer Residential sites are unchanged compared with what the site is currently permitted to emit.
- Fixed plant noise limits are otherwise unchanged from the residential limits, except for the period 7am to 7pm. This daytime period permits a 5dBA higher limit. This is considered a reasonable noise level, on the grounds of ambient noise levels predominantly exceeding this limit, and still being 5dBA below the recommendations of NZS6802:2008
- Night time noise effects relating to sleep disturbance are unchanged as a result of re-zoning. In some instances, the Lmax limit is lower, providing an increased assurance for the protection of sleep.
- Resultant noise levels are consistent with and in some cases below the upper limits for protecting community health and amenity, as determined by NZS6802:2008.
- Resultant noise effects on 8 Campbell St and 3-9 Campbell St, as a result of the re-zoning range from negligible to reasonable.

Appendix 9. Recommendations on DPC 82

- 142 Tauhinu Road, Miramar - zone change from Open Space B to Outer Residential

That the zone change be approved as notified:

- 43 Peppertree Lane and adjoining Council reserve, Woodridge – swap the Outer Residential and Open Space B zones for the land involved in a proposed land exchange.

That the zone change be approved as notified:

- Flagstaff Hill (16 Terrace Gardens), CBD proposed zone change for Flagstaff Hill Park (16 Terrace Gardens, CBD) from Inner Residential to Open Space A

That decision sought in the submission by Neil Pryor on behalf of the Flagstaff Hill Area Resident's Association (Submitter 5) be accepted:

- 7C Melksham Drive, Churton Park proposed zone change for 7C Melksham Avenue, Churton Park from Outer Residential to Open Space A

That decision sought in the submission by Brian Sheppard on behalf of the Churton Park Community Association (submitter 3) be accepted:

- 2a Myrtle Crescent, Mt Cook proposed zone change for part of 2A Myrtle Crescent from Inner Residential to Centres.

That decision sought by Frankie Rouse (Submitter 8) be accepted:

- 73 Hawker Street (St Gerard's Monastery) and adjoining Council reserve (52 McFarlane Street) - swapping Inner Residential and Open Space B zoning of the land involved in a land exchange

That decisions sought in the following submissions be accepted:

- Heritage New Zealand - Submitter 1
- Gordon Copeland on behalf of the Institute for World Evangelisation – International Catholic Programme of Evangelisation (ICPE Mission) (NZ Branch) – Submitter 2
- Joanna Newman on behalf of the Mt Victoria Historical Society Inc. - Submitter 10

That decisions sought in the following submissions be rejected:

- Angela Rothwell on behalf of the Mt Victoria Resident's Association – Submitter 9*
- Marian Evans – Submitter 13*

- 6 Campbell Street zone change from Outer Residential to Centres and extension to secondary frontage:

That decisions sought in the following submissions be accepted:

- Lesleigh Anne Salinger - Submitter 6*
- Heather Sinclair on behalf of the Karori Association – Submitter 12 and Further Submission 2*

That decisions sought in the following submissions and further submitter be rejected:

- Jacqueline Anstead – Submitter 4*
- Sam Butts – Submitter 7 and Further Submission 1*
- Keith Wooley – Submitter 11*