

REPORT 1
(1215/52/IM)

REZONING OF RURAL PROPERTIES ADJOINING HUNTLEIGH PARK

1 Purpose of Report

To seek approval from the Committee to the general principle of a rezoning proposal and the next stage of consultation with residents in the wider neighbourhood and interested community groups.

2 Executive Summary

The proposed rezoning is the result of previous consultation with land owners and the findings of an ecological report and landscape assessment. It is proposed to:

- change the land use zoning of eleven private properties that adjoin Huntleigh Park, from Rural to Conservation Site/Outer Residential (with a small area of Open Space A)
- introduce a rule that restricts the number of dwellings permitted to be built on the parts of the properties that would be Outer Residential
- consult with residents of the wider neighbourhood and interested community groups
- further consult with the owners of the private properties.

3 Recommendations

It is recommended that the Committee:

1. *Receive the information.*
2. *Agree that officers prepare a District Plan change that is proposed to include:*
 - a) *the rezoning of eleven properties adjoining Huntleigh Park, from Rural to Conservation Site / Outer Residential / Open Space A.*
 - b) *a rule that will restrict the number of dwellings permitted to be built on the parts of the properties that become Outer Residential*
3. *Note that in drafting the plan change officers will undertake consultation with owners, residents of the wider neighbourhood and interested community groups.*

4 Discussion

4.1 Background

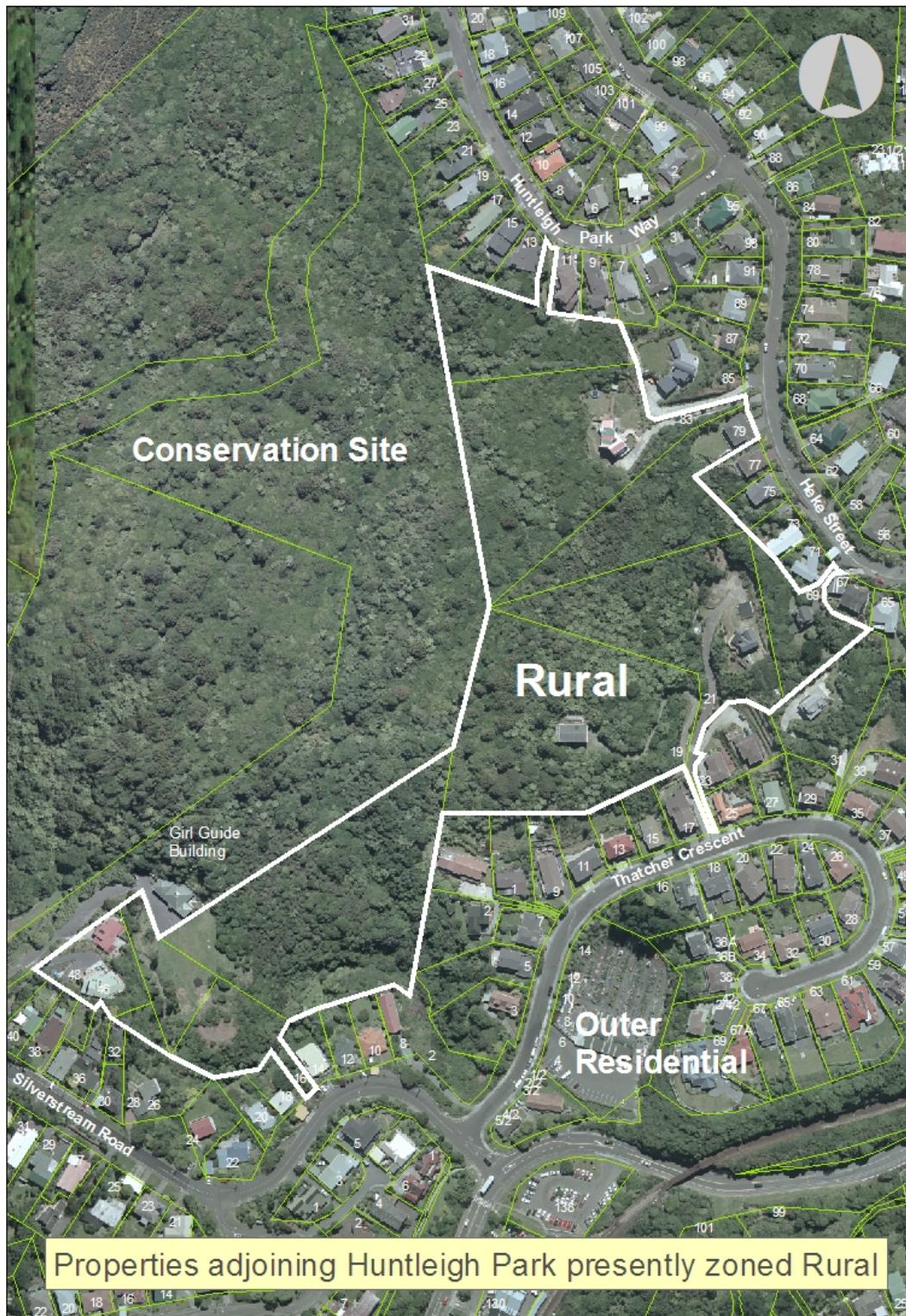
Huntleigh Park is a bush area located on hills between Crofton Downs and Ngaio. The topography is mainly steep hill country with incised streams. It is one of the largest and most significant forest remnants in Wellington City and forms a valuable link in the ecological corridor between the large forest areas of Otari-Wiltons Bush and Khandallah Park. The central core of the bush is owned by Wellington City Council and the Girl Guide Association and it is zoned Conservation Site.



Figure One: *View of Huntleigh Park and adjoining land from the frontage of 18 Silverstream Road. The privately owned land zoned Rural lies in the foreground above the roof of the house and on the hill ridge on the right hand side of the photo.*

Two areas of the bush are in private ownership. The first is part of the Kilmarnston property and lies on the western side closest to the Council owned areas of the Outer Green Belt. It is zoned Open Space B and it is anticipated that it will transfer to Council ownership as reserve contribution in the future. The second area is an arc of eleven properties on the eastern side of the bush between the core area and residential housing in Ngaio and Crofton Downs. This area is shown in Figure Two.

Figure Two:



The eleven properties are the subject of this report. They are presently zoned Rural under the District Plan. This zoning is intended for 'rural purposes', which is defined as

primary production including horticulture, silviculture and pastoral farming, with associated residential activities.

The properties are made up of a mix of bush and developed land. Some of the properties feature a house and garden area. The balance of these properties and all of the other properties are covered in bush of various ages from remnant forest to young regenerating forest. There is also a mown grass area adjoining the Girl Guide building.

None of the land is used for primary production but it is instead used for suburban housing with the balance being left as native bush. It should be noted that the Rural provisions provide no protection to the bush and owners could, if they so desired, clear the vegetation as of right (although Wellington City Council successfully applied to the Environment Court to stop clearing of bush at Larsen Crescent on residentially zoned land). Given the suburban use and the bush cover it is appropriate that the properties are rezoned to reflect these qualities.

4.2 Planning history

Prior to the notification of the Proposed District Plan in 1994 the larger properties (compared with adjoining suburban lots) were zoned 'Residential G (Rural Residential)'. The zone objectives indicate that (amongst other things) the Residential G zone provided for:

The utilisation of this land is to be in a form that will preserve those natural features and landscape qualities which particularly contribute to the amenity and environmental value of the area, and which will ensure that the open space character of the land is retained.

The pre-1994 rules permitted the construction of one house with an additional one bedroom unit with a floor area of not more than 50 square metres (see Appendix One for the objectives and permitted use rules for Residential G).

The present Rural zoning arose during the preparation of the Proposed District Plan. At that time the Council sought to reduce the number of individual residential zones (the Transitional District Plan had no less than 15 different residential zones). A choice would have had to be made between Outer Residential or Rural. As the land was 'Rural Residential' a decision appears to have been made to favour the large lots and natural qualities of the land, and the properties were zoned as Rural.

4.3 Landscape assessment

A landscape assessment of the properties was undertaken in 1998 by Clive Anstey, as part of a wider assessment of privately owned 'open space' sites across the city. The 'Crofton Downs' assessment concludes:

The site is visually significant from a wide range of perspectives, being visible from a number of major suburbs and an important transport corridor...

This report is attached as Appendix Two.

4.4 Ecological report

The Council in 2005 commissioned Dr Paul Blaschke, an independent consultant ecologist, to undertake an ecological assessment of the eleven properties. The report is attached as Appendix Three.

On the basis of fieldwork Dr Blaschke mapped vegetation units and evaluated their ecological significance. He divided the units into two groups, 'highly ecologically significant' and 'less ecologically significant'. The first group is more mature and contain trees in the canopy that are marker species of the primary (pre 1840) forest. The second group is younger regenerating forest. While it is less ecologically significant at present, it would become more ecologically significant in time if not disturbed. Its significance is also enhanced by the buffering function it provides to the older forest core.

The boundary of the 'highly ecologically significant' units has been used as a major consideration in the plotting of a possible boundary between Conservation Site and Outer Residential, as shown in Figure Three and Figure Four.

4.5 Consultation to date

Consultation with adjoining land owners began in March 2004, and has been through a mixture of letters, meetings, phone calls and emails. It has outlined options to protect the ecological and visual values of the bush and to provide for some further development of the properties. Consultation has provided the land owners with the opportunity to comment on the ecological report and the proposed zone change.

The land owners have indicated that they favour a rezoning of their properties to a mix of Conservation Site and Outer Residential. Conservation covenants were not favoured (although clarification of the rates situation – no rates are payable on Queen Elizabeth II Conservation Covenants - may make covenants more attractive). The most recent consultation with owners was a letter dated 6 June 2006, which included an aerial map with a proposed Conservation Site and Outer Residential boundary. Owners were given until the end of June to provide feedback on the proposal.

Feedback in general support of the proposal was received from:

- Gordon Purdie of 19 Thatcher Crescent
- Allan & Sue Burdett of 26 Silverstream Road
- Jean Chapman on behalf of the all the owners of the private 'reserve' at 16 Silverstream Road
- Craig Carr of 79 Heke Street
- Cathy Wood and Jeff Jewell of 21 Thatcher Crescent
- Leonie Black, Guiding Wellington

The owners of 11 Huntleigh Park Way and 83 Heke Street expressed concern with the proposal, with regards to the proposed zone boundary restricting the development potential of their land.

The Taylor's (83 Heke Street) wish to build one additional house and thought the proposal significantly reduced their ability to develop their property. They wish to develop the area below the end of their driveway to minimise the impact on their existing house and garden.

The Chester's (11 Huntleigh Park Way) wish to build four additional houses on their currently undeveloped site. Two meetings with the Chester's in June 2006 resulted in the Chester's agreeing to tender a development proposal(s) to the Council by the end of September this year. The development proposal(s) is to provide council officers with a better idea of what the Chester's wish to build and the vegetation they are prepared to protect.

The Chester's and Taylor's proposals were discussed with Dr Blaschke for an ecological perspective. He advised that Council should seek to avoid deep intrusions of the boundary into the areas of highly ecologically significant bush, instead drawing a line that is as 'flat' as possible to avoid left-over projections of forest that are vulnerable to the influences of climate, weeds and human disturbance on more than one front.

Figure Three shows the consultation maps of 6 June with the modifications sought by owners in the last round of consultation. The areas of the boundary marked with question marks reflect the developments the Chester's and Taylor's want to undertake. The Chester's proposal would destroy a large area of highly ecologically significant forest but it does have the benefit of maintaining a flat boundary without major outward projections of surviving forest. The Taylor's proposal would be a deep intrusion into the significant forest.

4.6 Proposed changes to the District Plan

It is proposed to change the District Plan zoning to make the bush covered areas predominantly Conservation Site and the areas already developed for houses and gardens Outer Residential (Figure Three).

Further to the zone change, it is also proposed to restrict the number of dwellings permitted to be built on each of the properties with Outer Residential zoning. This will ensure the ecological values and open character of the properties is conserved while allowing the land owners to develop their land to a reasonable extent. At this stage, prior to wider consultation, it seems reasonable to allow each property to have two household units, with no ability to apply for extra units under the multi-unit rules. This roughly parallels the old Residential G zone provisions, which allowed one house and an additional small unit. The property owners have indicated they are happy with this restriction with the exception of the Chester's who want to develop four household units and Gordon Purdie who wants all the properties to be restricted to one unit.

It is also proposed to zone an area immediately around the Girl Guides building and the adjoining mown grass area to Open Space A. This would be the most appropriate zoning for this activity and it would allow the Guides to add to their building or build new facilities in the future without the need for resource consent.

Figure Three:



4.7 Further consultation

It is proposed to use the map shown in Figure Three for further consultation. Consultation will be extended to residents of the wider neighbourhood and interested community groups such as Forest and Bird, Trelissick Park – Ngaio Gorge Working Group and the Ngaio Progressive Association. Because of the visual aspect of the bush and the contribution it makes to the amenity of the wider neighbourhood, the consultation will focus on residents of lower Silverstream Road, Thatcher Crescent, Huntleigh Park Way and parts of Heke Street.

Consultation will consist of a mail drop outlining the proposed zone change, the reasons for the zone change and proposed new development rules. It will include an aerial map annotated with the proposed zone boundary and a discussion of the ecological report and landscape assessment.

Council Officers expect consultation to be completed by the end of November 2006 and will report back to the Strategy and Policy Committee with a proposed plan change.

5 Conclusion

The eleven privately owned properties on the eastern side of Huntleigh Park are presently zoned Rural. They were previously zoned Rural Residential. It is proposed to rezone them to a mixture of Conservation Site and Outer Residential with a small area of Open Space A around the Girl Guide building.

Council officers have consulted with the property owners. This report seeks the Committee's approval to the general principle of the rezoning and a restriction on the number of household units that can be developed in the future. It is now proposed to undertake consultation with the wider neighbourhood and interested community groups.

Contact Officer: *Jonathan Anderson, Policy Advisor*

Supporting Information

1) Strategic Fit / Strategic Outcome

This matter is directly related to the Long Term Council Community Plan 2006/07-2015/16, expressed through the District Plan. The Council must also have reference to its statutory obligations under the Resource Management Act 1991.

The key outcomes area are:

Environment

Outcomes

We want Wellington to be more liveable, more actively engaged, better connected, more sustainable, safer, healthier and more competitive, and to have a stronger sense of place.

Governance

Outcomes

We want Wellington to become more inclusive and Wellingtonians to be more actively engaged.

2) LTCCP/Annual Plan reference and long term financial impact

Relates to updating the District Plan. Project is part of the District Plan Team budget.

3) Treaty of Waitangi considerations

There are no specific Treaty of Waitangi implications.

4) Decision-Making

This is not a significant decision. It relates to the updating of the District Plan to reflect current land use patterns.

5) Consultation

a) General Consultation

At this stage in the process consultation has been exclusively with the property owners of the land that would be affected by the proposed plan change

b) Consultation with Maori

No consultation has yet been undertaken with Mana whenua. This will occur at the next stage of the consultation process.

6) Legal Implications

Council's legal advisors will be consulted in the continuing development of the proposed plan change.

7) Consistency with existing policy

The proposed plan change will be consistent with the agreed direction of policy development for updating the District Plan.

List of Appendices:

- Appendix One:** Wellington City Council District Scheme – Code of Ordinances
- Residential G (Rural Residential)
- Appendix Two:** Wellington City Council Open Space Assessment – a summary
overview of ten sites
by Clive Anstey
The Crofton Downs Site
- Appendix Three:** Ecological assessment of private land adjoining Huntleigh Park by
Dr Paul Blaschke
Report to Wellington City Council

Appendix One

Appendix Two

Appendix Three